STATE OF CALIFORNIA FISH AND GAME COMMISSION ADDENDUM TO THE FINAL STATEMENT OF REASONS FOR REGULATORY ACTION

Amend Section 632
Title 14, California Code of Regulations
Re: Marine Protected Areas

I. Supplement to Section VI. of the July 21, 2011 Final Statement of Reasons: Update:

The "State Marine Parks" that are listed in Section 632, Title 14, were not designated by the State Parks and Recreation Commission. These "Parks" were previously listed in Section 630, Title 14, CCR, under the Commission's authority as Ecological Reserves or as the marine component of Ecological reserves or were listed in the Fish and Game Code, by the State Legislature, as Marine Life Refuges. The Fish and Game Commission reclassified them as State Marine Parks in OAL File #05-0128-04s. Therefore, consultation with, and concurrence from, the State Parks and Recreation Commission as specified in Section 36725(a) of the Public Resources Code does not apply to this rulemaking.

The November 3, 2010 Amended Initial Statement of Reasons identified "California Department of Fish and Game Memo to the Commission regarding outstanding issues identified in the proposed Initial Statement of Reasons to Amend Section 632 Title 14, CCR (October 11, 2010)" as a document supporting the regulatory change. The actual subject line of this memo is "Agenda Item for 20-21, 2010 Fish and Game Commission Meeting Re: Report on outstanding issues identified in the proposed Initial Statement of Reasons to Amend Section 632 Title 14, CCR Re: Marine Protected Areas in California South Coast Study Region pursuant to the Marine Life Protection Act". Notification of the availability of this document was provided in the Commission's October 3, 2011 notice. This document is the same at that included as item 23 in rulemaking file 2011-0722-04s, described as "Director's Memorandum dated October 11, 2010, Summary of Outstanding Issues Identified Subsequent to the April 2010 Commission Meeting and Potential Actions to Address These Issues Within Proposed Regulations for the MLPA SCSR."

After the December 15, 2010 adoption hearing, the following changes were made to the proposed regulatory language:

• Bird Rock (Catalina Island) State Marine Conservation Area (SMCA) is an offshore Marine Protected Area (MPA) that does not contact the shoreline; however, the originally proposed regulatory text referenced the mean high tide line. Therefore, in subsection 632(b)(103)(A), the phrase "the mean high tide"

line and" was removed for consistency with other offshore MPAs that do not contact the shoreline.

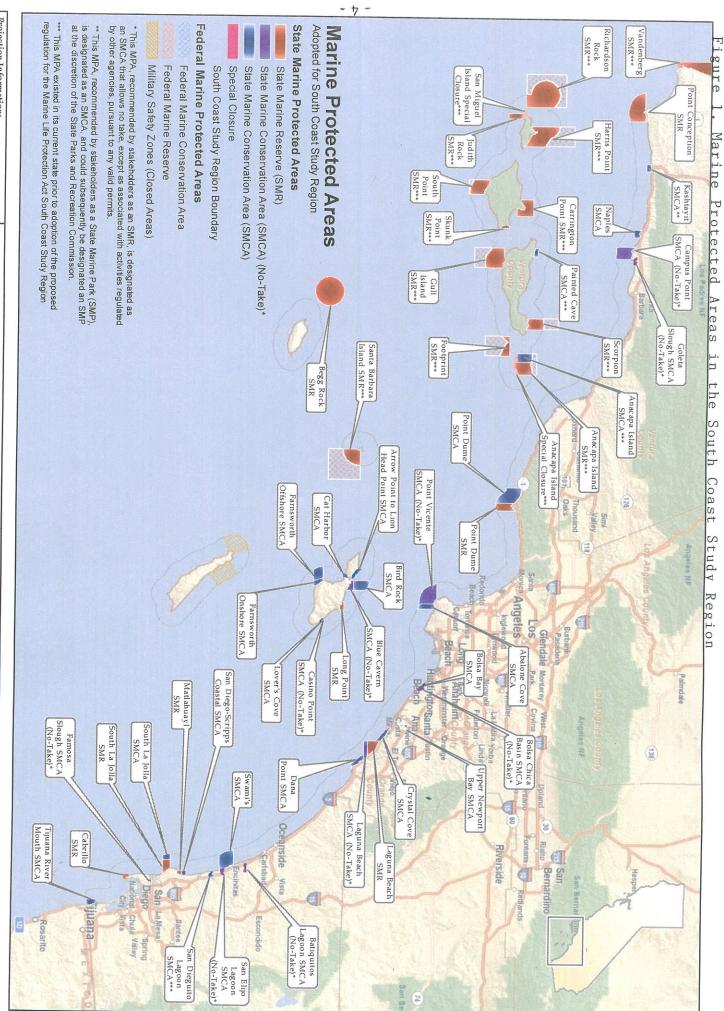
- Long Point (Catalina Island) State Marine Reserve (SMR) is an MPA that contacts the shoreline; however, the originally proposed regulatory text did not reference the mean high tide line as is usually done for MPAs that contact the shoreline. Therefore, in subsection 632(b)(104)(A), the term "the mean high tide line and" was added and the phrase "except where noted" was removed to improve clarity and consistency with other onshore MPAs that contact the shoreline.
- San Dieguito Lagoon SMP (subsection 632(b)(117)). San Dieguito Lagoon SMP was originally proposed to be removed from the regulations; however, the rulemaking record did not contain sufficient information concerning the necessity for the removal of this MPA. The revised proposed regulations retain this MPA with its current boundaries and take and use regulations, but redesignate it as a State Marine Conservation Area, the appropriate MPA designation consistent with the MMAIA. Subsequent subsections were renumbered to reflect the inclusion of this MPA.
- Nonsubstantive changes were made to the proposed regulatory language in subsections 632(b) preamble text, 632(b)(78)(A), 632(b)(101)(A), 632(b)(103)(A), 632(b)(108)(A), 632(b)(110), 632(b)(116), and 632(b)(122)(A) for clarity, consistency, or to accurately reflect existing regulatory text.

No changes have been made to the originally proposed regulations for the following two MPAs; however, additional discussion concerning the necessity for these changes is provided herein:

- Gull Island (Santa Cruz Island) SMR. No changes are proposed to the boundaries or take regulations for this currently existing MPA; however, the phrase "straight lines connecting" is added in subsection 632(b)(87) for purposes of clarity and consistency with other MPA descriptions.
- Buena Vista Lagoon State Marine Park (SMP). This MPA was originally established in 1969 as a State Ecological Reserve. At the time of designation, this area was an estuarine tidal lagoon with salt marsh habitat. However, a weir was built across the mouth of the lagoon in the 1970s, raising the lagoon level above high tide and transforming the lagoon into a shallow freshwater lake. It does not undergo tidal influence at any time of the year. This area was excluded from the study region boundaries because it was no longer considered to be appropriate for "marine protected area" designation, and Department of Fish and Game (DFG) recommended it be removed.

No additional modifications were made to the proposed language. The Commission adopted the other regulatory changes as originally proposed in the IPA. Figure 1 displays the MPAs adopted by the Commission in the IPA. Table 1 lists the adopted MPAs and describes their allowed uses.

Figure 1 of the July 21, 2011 Final Statement of Reasons is updated to include the San Diegulto Lagoon SMCA and to also include the state and federal MPAs continuing in effect in the south coast study region.



World Mercator WGS 1984 Projection Information:





Table 1 of the July 21, 2011 Final Statement of Reasons is updated to indicate an adoption date of October 19, 2011 and to add San Dieguito Lagoon SMCA:

Table 1. MPAs adopted as the preferred alternative, also known as the Integrated Preferred Alternative (IPA), in the south coast region¹, including sub-options selected, a summary of allowed take, and a summary of other regulated activities. MPAs with only one option within the

IPA are reflected as "IPA" in the "Option Selected by Commission" column.

MPA Name and Designation Point Conception	Option Selected by Commission on 10/19/11	Allowed Take Take of all living marine resources is prohibited	Other Regulated Activities
State Marine Reserve		Take of all living marine resources is prombled	
Kashtayit State Marine Conservation Area ²	IPA	Take of all living marine resources is prohibited EXCEPT: ■ The recreational take of finfish³ and invertebrates, except rock scallops and mussels, and giant kelp by hand harvest	Allows maintenance of artificial structures and operation and maintenance of existing facilities pursuant to any required federal, state and local permits, or as otherwise authorized by the Department ⁴
Naples State Marine Conservation Area	IPA	Take of all living marine resources is prohibited EXCEPT: ■ The recreational take of pelagic finfish ⁵ , including Pacific bonito, and white seabass by spearfishing ■ The commercial take of giant kelp by hand harvest, or by mechanical harvest under the condition that duplicate landing records be kept on board the harvest vessel	Allows operation and maintenance of artificial structures pursuant to any required federal, state and local permits, or as otherwise authorized by the Department ⁴
Campus Point State Marine Conservation Area ⁶	Option 2	Take of all living marine resources is prohibited	Allows operation and maintenance of artificial structures pursuant to any required federal, state and local permits, or as otherwise authorized by the Department ⁴
Goleta Slough State Marine Conservation Area ⁶	IPA	Take of all living marine resources is prohibited	Allows routine maintenance, dredging, habitat restoration, research and education, maintenance of artificial structures, and operation and maintenance of existing facilities pursuant to any required federal, state and local permits, activities pursuant to Section 630, Title 14, CCR, or as otherwise authorized by the Department ⁴

MPA Name and Designation	Option Selected by Commission on 10/19/11	Allowed Take	Other Regulated Activities	
			Boating, swimming, wading, and diving are prohibited in waters below the mean high tide line in the Goleta Slough Ecological Reserve as defined within Section 630, Title 14, CCR Access restrictions within the Goleta Slough Ecological Reserve also exist as defined within Section 630, Title 14, CCR	
Begg Rock (San Nicolas Island Quad) State Marine Reserve	IPA	Take of all living marine resources is prohibited		
Point Dume State Marine Conservation Area	Option 2	 Take of all living marine resources is prohibited EXCEPT: The recreational take of pelagic finfish⁵, including Pacific bonito, and white seabass by spearfishing The commercial take of coastal pelagic species⁷ by round haul net and swordfish by harpoon 	Beach nourishment and other sediment management activities are allowed inside the conservation area pursuant to any required federal, state and local permits, or as otherwise authorized by the Department ⁴	
Point Dume State Marine Reserve	IPA	Take of all living marine resources is prohibited		
Point Vicente State Marine Conservation Area ⁶	IPA	Take of all living marine resources is prohibited	Allows remediation activities associated with the Palos Verdes Shelf Operable Unit of the Montrose Chemical Superfund Site within the conservation area pursuant to the Interim Record of Decision issued by the United States Environmental Protection Agency and any subsequent Records of Decision ⁴	

	Option Salastad by		
MPA Name and	Selected by Commission		
Designation	on 10/19/11	Allowed Take	Other Regulated Activities
Abalone Cove State Marine Conservation Area	IPA	 Take of all living marine resources is prohibited EXCEPT: The recreational take of pelagic finfish⁵, including Pacific bonito, and white seabass by spearfishing, and market squid by hand-held dip net The commercial take of coastal pelagic species⁷ and Pacific bonito by round haul net, and swordfish by harpoon 	Allows remediation activities associated with the Palos Verdes Shelf Operable Unit of the Montrose Chemical Superfund Site within the conservation area pursuant to the Interim Record of Decision issued by the United States Environmental Protection Agency and any subsequent Records of Decision ⁴
Bolsa Bay State Marine Conservation Area	IPA	Take of all living marine resources is prohibited EXCEPT: The recreational take of finfish³ by hook and line from shore in designated areas only	Allows routine operation and maintenance, habitat restoration, maintenance dredging, research and education, and maintenance of artificial structures pursuant to any required federal, state and local permits. Allows activities pursuant to Section 630, Title 14, CCR, or as otherwise authorized by the Department ⁴ Boating, swimming, wading, and diving are prohibited; access restrictions also exist, and access is prohibited between 8:00 p.m. and 6:00 a.m.
Bolsa Chica Basin State Marine Conservation Area ⁶	IPA	Take of all living marine resources is prohibited	Allows routine operation and maintenance, habitat restoration, maintenance dredging, research and education, and maintenance of artificial structures pursuant to any required federal, state and local permits, activities pursuant to Section 630, Title 14, CCR, or as otherwise authorized by the Department ⁴ Boating, swimming, wading, and diving prohibited; access restrictions also exist, and access is prohibited between 8:00 p.m. and 6:00 a.m.

MPA Name and Designation	Option Selected by Commission on 10/19/11	Allowed Take	Other Regulated Activities
Arrow Point to Lion Head Point (Catalina Island) State Marine Conservation Area	Option 1	Recreational take of invertebrates is prohibited; take of all other living marine resources is allowed	
Blue Cavern (Catalina Island) State Marine Conservation Area ⁶	IPA	Take of all living marine resources is prohibited	Allows maintenance of artificial structures pursuant to any required federal, state and local permits, or as otherwise authorized by the Department ⁴ Allows scientific collecting under a scientific collection permit issued by the Department. Restrictions on anchoring or mooring a vessel also apply.
Bird Rock (Catalina Island) State Marine Conservation Area	IPA	Take of all living marine resources is prohibited EXCEPT: ■ The recreational take of pelagic finfish ⁵ , including Pacific bonito, by hook and line or by spearfishing, white seabass by spearfishing and market squid by hand-held dip net ■ The commercial take of pelagic finfish ⁵ by hook and line and swordfish by harpoon	
Long Point (Catalina Island) State Marine Reserve	IPA	Take of all living marine resources is prohibited	
Casino Point (Catalina Island) State Marine Conservation Area ⁶	Option 2	Take of all living marine resources is prohibited	Allows maintenance of artificial structures pursuant to any required federal, state and local permits or as otherwise authorized by the Department ⁴

MPA Name and Designation	Option Selected by Commission on 10/19/11	Allowed Take	Other Regulated Activities Feeding of fish for marine life viewing is allowed
Lover's Cove (Catalina Island) State Marine Conservation Area	Option 2	Take of all living marine resources is prohibited EXCEPT: recreational fishing by hook and line from public pier	Allows maintenance of artificial structures pursuant to any required federal, state and local permits or as otherwise authorized by the Department ⁴ Feeding of fish for marine life viewing is allowed
Farnsworth (Catalina Island) Onshore State Marine Conservation Area	IPA	 Take of all living marine resources is prohibited EXCEPT: ■ The recreational take of pelagic finfish⁵, including Pacific bonito, and white seabass by spearfishing, market squid by hand-held dip net, and marlin, tunas and dorado by trolling ■ The commercial take of coastal pelagic species⁷ by round haul net and swordfish by harpoon 	
Farnsworth (Catalina Island) Offshore State Marine Conservation Area	IPA	 Take of all living marine resources is prohibited EXCEPT: The recreational take of pelagic finfish⁵, including Pacific bonito, by hook and line or spearfishing, white seabass by spearfishing, market squid by hand-held dip net, and marlin, tunas and dorado by trolling The commercial take of coastal pelagic species⁷ by round haul net and swordfish by harpoon only 	
Cat Harbor (Catalina Island) State Marine Conservation Area	IPA	 Take of all living marine resources is prohibited EXCEPT: The recreational take of finfish³ by hook and line or by spearfishing, squid by hook and line, and lobster and sea urchin The commercial take of sea cucumbers by diving only, and spiny lobster and sea urchin 	Allows maintenance of artificial structures pursuant to any required federal, state and local permits or as otherwise authorized by the Department ⁴ Aquaculture of finfish ³ is allowed pursuant to any required State permits

MPA Name and Designation	Option Selected by Commission on 10/19/11	Allowed Take	Other Regulated Activities
Upper Newport Bay State Marine Conservation Area	Option 2	Take of all living marine resources is prohibited EXCEPT: the recreational take of finfish ³ by hook and line from shore only	Allows maintenance dredging, habitat restoration, research and education programs, maintenance of artificial structures, and operation and maintenance of existing facilities pursuant to any required federal, state and local permits, activities pursuant to Section 630, Title 14, CCR, or as authorized by the Department ⁴ The following restrictions apply only to waters below the mean high tide line inside the Upper Newport Bay Ecological Reserve: Swimming is allowed only in the area between North Star Beach and mid-channel; Boats are limited to speeds of less than 5 mph; Shoreline access is limited
Crystal Cove State Marine Conservation Area	Boundary Option 1 and Take Option A-R	 Take of all living marine resources is prohibited EXCEPT: The recreational take of finfish³ by hook and line or by spearfishing, and lobster and sea urchin The commercial take of coastal pelagic species⁷ by round haul net, spiny lobster by trap, and sea urchin Take of all living marine resources from inside tidepools is prohibited. Tidepools are defined as the area encompassing the rocky pools that are filled with seawater due to retracting tides between the mean higher high tide line and the mean lower low tide line 	Allows beach nourishment and other sediment management activities and operation and maintenance of artificial structures pursuant to any required federal, state and local permits or as authorized by the Department ⁴
Laguna Beach State Marine Reserve	Option 2-R	Take of all living marine resources is prohibited	

MPA Name and Designation	Option Selected by Commission on 10/19/11	Allowed Take	Other Regulated Activities
Laguna Beach State Marine Conservation Area ⁶	Option 2-R	Take of all living marine resources is prohibited	Allows operation and maintenance of artificial structures and facilities, beach grooming, maintenance dredging, and habitat restoration pursuant to any required federal, state and local permits or as authorized by the Department ⁴
Dana Point State Marine Conservation Area	Boundary Option 1 and Take Option B and Access Option A	 Take of all living marine resources is prohibited EXCEPT: The recreational take of finfish³ by hook and line or by spearfishing, and lobster and sea urchin is allowed below the mean lower low tide line only The commercial take of coastal pelagic species⁷ by round haul net, and spiny lobster and sea urchin only Take of all living marine resources from inside tidepools is prohibited. Tidepools are defined as the area encompassing the rocky pools that are filled with seawater due to retracting tides between the mean higher high tide line and the mean lower low tide line 	Allows operation and maintenance of artificial structures pursuant to any required federal, state and local permits or as authorized by the Department ⁴
Batiquitos Lagoon State Marine Conservation Area ⁶	IPA	Take of all living marine resources is prohibited	Allows operation and maintenance, habitat restoration, research and education, maintenance dredging and maintenance of artificial structures pursuant to any required federal, state and local permits, or pursuant to Section 630, Title 14, CCR, or as authorized by the Department ⁴ Boating, swimming, wading, and diving are prohibited
Swami's State Marine Conservation Area	Boundary Option 4 and Take Option	Take of all living marine resources is prohibited EXCEPT: ■ Recreational take by hook and line from shore only, and recreational take of pelagic finfish ⁵ , including	Allows beach nourishment and other sediment management activities and operation and maintenance of artificial structures pursuant to any required federal, state and local permits, or

MPA Name and Designation	Option Selected by Commission on 10/19/11	Allowed Take	Other Regulated Activities
	В	Pacific bonito, and white seabass by spearfishing	as authorized by the Department ⁴
San Elijo Lagoon State Marine Conservation Area ⁶	IPA	Take of all living marine resources is prohibited	Allows operations and maintenance, maintenance dredging, habitat restoration including sediment deposition, research and education, and maintenance of artificial structures pursuant to any required federal, state and local permits, or as authorized under Section 630, Title 14, CCR, or as authorized by the Department ⁴ Boating, swimming, wading and diving are prohibited
San Dieguito Lagoon State Marine Conservation Area	Option 2	Take of all living marine resources is prohibited EXCEPT the recreational take of finfish by hook and line from shore and the Grand Avenue Bridge	Boating, wading, swimming and diving are prohibited; access restricted on the California least tern nesting island; access restricted in the Conservation Area between 8:00 p.m. and 5:00 a.m
San Diego- Scripps Coastal State Marine Conservation Area	Option 2	Take of all living marine resources is prohibited EXCEPT: The recreational take of coastal pelagic species ⁷ , except market squid, by hook and line only	Allows scientific collecting under a scientific collection permit issued by the Department Allows operation and maintenance of artificial structures pursuant to any required federal, state and local permits, or as authorized by the Department ⁴
Matlahuayl State Marine Reserve	Option 2	Take of all living marine resources is prohibited	Boats may be launched and retrieved only in designated areas; anchoring restricted to daylight hours
South La Jolla State Marine Reserve	Option 4	Take of all living marine resources is prohibited	

MPA Name and Designation	Option Selected by Commission on 10/19/11	Allowed Take	Other Regulated Activities
South La Jolla State Marine Conservation Area	Option 4	Take of all living marine resources is prohibited EXCEPT: The recreational take of pelagic finfish ⁵ , including Pacific bonito, by hook and line only	
Famosa Slough State Marine Conservation Area ⁶	IPA	Take of all living marine resources is prohibited	Allows habitat restoration, maintenance dredging and operation and maintenance of artificial structures pursuant to any required federal, state and local permits or as authorized by the Department ⁴
Cabrillo State Marine Reserve	IPA	Take of all living marine resources is prohibited	
Tijuana River Mouth State Marine Conservation Area	IPA	 Take of all living marine resources is prohibited EXCEPT: The recreational take of coastal pelagic species⁷, except market squid, by hand-held dip net only The commercial take of coastal pelagic species⁷, except market squid, by round haul net only 	Allows beach nourishment or other sediment management activities and operation and maintenance of artificial structures pursuant to any required federal, state and local permits or as authorized by the Department ⁴

¹ This table does not include the 13 existing MPAs surrounding the northern Channel Islands. The northern Channel Islands MPAs were retained without modification, at the direction of the Commission, and are not part of this rulemaking. However, they are displayed in the maps and summaries in the Amended ISOR and in the map contained in this document.

This area, recommended by stakeholders as a State Marine Park (SMP), is designated as an SMCA, and could subsequently be designated as an SMP at the discretion of the State Park and Recreation Commission.

Finfish are defined in subsection 632(a)(2) as: any species of bony fish or cartilaginous fish (sharks, skates and rays). Finfish do not include amphibians, invertebrates, plants or algae. The definition of finfish provided in Section 159 does not apply to this Section.

Existing activities and operations permitted by other federal, state, or local entities, such as dredging, wastewater outfall operations, maintenance of artificial structures and sand replenishment and other sediment management activities have been identified as occurring within this MPA, which may result in take of marine resources incidental to the activity. Operations or activities identified at the time of designation are included within the regulation to make explicit that MPA designation is not intended to interfere with these permitted activities.

⁵ Pelagic finfish are defined in subsection 632(a)(3) as: northern anchovy (*Engraulis mordax*), barracudas (*Sphyraena spp.*), billfishes (family Istiophoridae) (except that marlin is not allowed for commercial take), dolphinfish/dorado (*Coryphaena hippurus*), Pacific herring (*Clupea pallasi*), jack mackerel (*Trachurus symmetricus*), Pacific mackerel (*Scomber japonicus*), salmon (*Oncorhynchus spp.*), Pacific sardine (*Sardinops sagax*), blue shark (*Prionace glauca*), salmon shark (*Lamna ditropis*), shortfin mako shark (*Isurus oxyrinchus*), thresher sharks (*Alopias spp.*), swordfish (*Xiphias gladius*), tunas (family Scombridae), and yellowtail (*Seriola lalandi*).

This MPA, recommended by stakeholders as an SMR, is designated as an SMCA that allows no take, except take incidental to specified activities regulated by other agencies, pursuant to any valid permits.
 Coastal pelagic species are defined in Section 1.39 as: northern anchovy (*Engraulis mordax*), Pacific sardine (*Sardinops sagax*), Pacific mackerel (*Scomber japonicus*), jack mackerel (*Trachurus symmetricus*), and market squid (*Loligo opalescens*).

II. Supplement to Section VII. of the July 21, 2011 Final Statement of Reasons: Summary of Primary Considerations Raised in Opposition and in Support:

Table 4 in the July 21, 2011 Final Statement of Reasons provides a summary of comments received and provides responses. Table 4 has been updated to provide more thorough responses to some of the comments. The updated summaries and responses are shown in bold text. The Commenter ID corresponds to the names and dates in Table 3 of the July 21, 2011 Final Statement of Reasons, or to the form letter number listed in Table 2 of the July 21, 2011 Final Statement of Reasons. Master Responses are provided in the July 21, 2011 Final Statement of Reasons.

Table 4. Comment summaries and responses.

Commenter ID	Comment Number	Comment	Response
A05, A06, A39, A42, A67, A77, A78, A80, A82, A83, A84, A85, A86, A87, A89, A90, A91, A92, A93, A94, A96, A98, B01, B02, B05, B07, B11, B12, B14, B15, B16, B17, B18, B20, B22, B25, B26(P), B48, B67, B80, C21, C55, C79, C93, C94, D44, D58, D65, D69, D74, E11, E12, E13, E14, E26, E28, E30, E31, E32, E33, E37(P), E43(P), E48(P), E50(P), E58, Form Letter 06	1	Support MLPA	Support noted.
A01, A02, A03, A10, A14, A28, A30, A36, A39, A40, A48, A65, A73, A74, A75, A79, A98, B01, B02, B06, B25, B26(P), B27, B30, B35, B38, B45, B57, B61, B67, B69, B70, B71, B72, B78, B83, B85, B90, C09, C14, C19, C27, C29, C31, C51, C66, C68, C77, C79, C84, C87, C92, D01, D05, D07, D08, D09, D17, D29, D30, D32, D34, D35, D38, D42, D44, D56, D64, D76,	2	Support or adopt the Integrated Preferred Alternative (IPA)	Support for the IPA noted. After taking public testimony on all regulatory sub-options within the IPA, the Commission selected specific sub-options as identified in this Final Statement of Reasons for inclusion in the IPA, and adopted the IPA because the IPA does the best job of balancing the scientific guidelines and MLPA goals, bridging areas of divergence among the SCRSG proposals, resolving feasibility issues, and minimizing socioeconomic impacts to the

Commenter ID	Comment Number	Comment	Response
D77, E13, E36, E37(P), E49(P),			extent possible.
E51(P), E52(P), E53(P), E55(P), E69,			
E86, E87, E94, Form Letter 02, Form			
Letter 03, Form Letter 04, Form Letter			
05, Form Letter 07, Form Letter 17,			
Form Letter 24			
A19, A48, A58, A59, A60, A67, A78,			
A80, A82, A83, A85, A87, A90, A92,			
A93, A94, A95, B27, B28, B30, B35,	_		
B39, B60, B68, C03, C48, C50,	3	Support science-based MPAs	Support noted.
D47,D55, D66, E14, E52(P), E53(P),			
E78, Form Letter 05, Form Letter 06,			
Form Letter 10, Form Letter 17			
A04, A11, A14, A27, A39, A40, A45,			
A48, A56, A67, A68, A77, A79, A81,			
A96, B04, B09, B11, B16, B17, B18,			
B22, B26(P), B30, B38, B48, B49,			
B57, B68, B70, B77, B79, B88, B91,			
B98, C07, C08, C09, C10, C11, C17,			
C18, C29, C30, C47, C48, C50, C56,	4	Support MPAs	Support noted.
C58, C61, C65, C66, C68, C84, C85,			
C92, D02, D06, D19, D25, D66, D69, E27, E29, E35, E37(P), E44(P),			
E49(P), E53(P), E56(P), E57(P), E61, E68, E71, E88, E90, E94, E99, Form			
Letter 03, Form Letter 15, Form Letter			
18, Form Letter 21, Form Letter 25			
A10, A11, A13, A37, A38, A39, A41,			After taking public testimony on all the
A42, A43, A48, A50, A57, A58, A59, A41,			alternatives, the Commission adopted the IPA,
A60, A67, A70, A81, A82, A83, A84,			and adopted specific sub-options identified in this
A85, A86, A87, A89, A90, A91, A92,		Support Proposal 3	Final Statement of Reasons for inclusion in the
A93, A94, A96, B04, B05, B08, B11,	5		IPA. As compared to the IPA, Alternative 3
B12, B14, B16, B17, B18, B19, B22,			would result in the protection of approximately
B37, B38, B39, B40, B41, B45, B47,			the same marine habitat and marine biological
B49, B52, B53, B54, B57, B58, B60,			resources in MPAs, but would have greater

Commenter ID	Comment Number	Comment	Response
B61, B72, B74, B80, B84, B87, B90, B93, B97, B99, C10, C11, C15, C16, C22, C25, C27, C28, C29, C38, C40, C41, C42, C44, C47, C48, C50, C56, C58, C61, C64, C65, C72, C73, C74, C75, C78, C82, C83, C85, C93, C95, C96, C97, C98, D10, D12, D14, D15, D19, D27, D36, D39, D40, D46, D48, D50, D51, D52, D53, D59, D66, D67, D70, D72, D73, D81, D82, D83, D84, E06, E07, E12, E17, E18, E21, E22, E23, E56(P), E58, E83, E85, E90, F02, Form Letter 01, Form Letter 10, Form Letter 11, Form Letter 12, Form Letter 15			adverse economic impacts to sport and commercial fishing related businesses and slightly greater adverse impacts on air quality. The Commission rejected Alternative 3 because the IPA does the best job of balancing the scientific guidelines and MLPA goals, bridging areas of divergence among the SCRSG proposals, resolving feasibility issues, and minimizing socioeconomic impacts to the extent possible.
B10	6	Support Public Safety Option 1.	Comment noted. The Commission selected this option.
A06, B14	7	Support MPA immediately north of the U.SMexico border	Comment noted. The Commission adopted the IPA, which included an MPA in this area.
A05, A06, D09	8	Support Tijuana River Mouth Estuary SMCA	Comment noted. The Commission adopted this SMCA. See response to comment 2.
A07, A20, A21, A22, A23, A24, A25, A26, A27, B07, B96, B97, C14, C19, C88, E46(P), E52(P), E90, Form Letter 09	9	Support Naples Reef Marine Reserve	The Commission adopted an SMCA in this area to minimize socioeconomic impacts to halibut and lobster fisheries. Spear fishing for some species is allowed to accommodate the continuation of these recreational activities. Allowance of commercial kelp harvesting is intended to offset the socioeconomic impacts of the nearby SMR.
A08, A09, A10, A11, A12, A13, A16, A45, A47, A76, A81, B18, B33, B36, B37, B58, B76, B99, C13, C16, C25, C35, C37, C54, C55, C57, C59, C60, C62, C69, C70, C76, C86, E40(P),	10	Support city-wide marine reserve for Laguna Beach	The Commission adopted a SMR in the northern portion and a no-take SMCA in the southern portion of this MPA cluster. The SMCA designation is necessary to allow for operation and maintenance of artificial

Commenter ID	Comment Number	Comment	Response
Form Letter 20			structures and facilities, beach grooming, maintenance dredging, and habitat restoration.
A17, A19, B12, B18, C51, E08, E09	11	Protect Palos Verdes coastline	Comment noted. The Commission adopted two SMCAs in this area: Point Vicente (no take) SMCA and Abalone Cove SMCA.
A66, C08, C36, E14, E54(P)	12	Support SMRs protecting rocky habitats like Point Dume and the Palos Verdes Peninsula	Comment noted. The Commission adopted a SMR at Point Dume, an SMR at Abalone Cove, and a no take SMCA at Pt. Vicente.
A15, A18, A19, B25, C15, C22, D69, D78, E54(P), E56(P), F05	13	Protect Rocky Point	Rocky Point was not included as part of the protection in the Palos Verdes area. The negative socioeconomic consequences of placing an MPA that includes Rocky Point were projected to be high and to potentially affect many commercial, recreational fisheries, and the infrastructure of several diverse working ports and harbors.
A14, A65, B10	14	Upper Newport Bay SMCA: support ISOR amendments proposed on October 7	The Commission adopted this option which limits the restrictions on swimming, boating and access to the Ecological Reserve area of this SMCA.
D39, D69	15	Want to be involved in monitoring efforts	Comment noted.
A13	16	Oppose IPA Laguna Beach Option	The Commission adopted Option 2-R for Laguna Beach. Also see response to comment 10.
A10, A11, A13, A14, A65, B10, B58, B63, B66, B76, B87, B99, C13, C16, C35	17	Support Laguna Beach SMR Option 2	The Commission adopted boundary Option 2 for Laguna Beach. See response to comment 10.
A68, E60	18	Comments pertaining to Doheny Beach SMCA, including but not limited to the following: the MLPA and APA require existing and planned desalination projects to be included as a permitted regulatory activity; suggested modifications to	Comment noted. The Commission selected Option 1 for this area, which did not include the Doheny Beach SMCA in the IPA; therefore, regulations on take and other allowed uses were not necessary.

Commenter ID	Comment Number	Comment	Response
		regulatory language on take and other allowed uses, particularly in regards to existing facilities.	
B13	19	Do not block shore access in La Jolla	Comment noted. The MPA designation does not block access, but only restricts activities within that area.
A43, A93, A95, B01, B77, C23, C28, C47, C55, C77, C81, C82, C85, E21, E22, E23, E55(P), E58, E69, Form Letter 06, Form Letter 07, Form Letter 11, Form Letter 12	20	IPA provides minimum level of protection	Comment noted.
A29, A32, A53, B66, B89, B95, C01, D87, D88	21	Oppose the IPA	Comment noted. See response to comment 2 and Master Responses 1 and 4.
A29, A32, C49, D93, D94, D98	22	Do not ban sport fishing	Recreational fishing is maintained wherever it is consistent with the MPA designation.
A31, A62, C52, D18, D62, D90, E02, E76, E77, E84, E92, E95	23	Insufficient funds to implement the MLPA	See Master Response 5.
A31, B29, C20, C67, E75, E89, F04	24	Support the use of other fishery management measures	Comment noted. See Master Response 4.
A32, A33, A44, A51, A52, A62, B34, B75, B81, B86, C12, C32, C39, C52, C67, D13, D24, D89, E34, E74, E93, E97, Form Letter 14	25	Oppose the MLPA	Comment noted. Also see Master Response 1.
A32, C04, C24, C39, D20, D28, D41, D57, E77	26	The MLPA uses flawed science	Comment noted. See Master Response 3.
A32, A33, A51, A52, A53, B75, B81, C20, C39	27	MPAs do not work	Comment noted. See Master Response 2.
A32	28	Sport fishing has increased in non- protected areas	Comment noted. The potential for increased impact on fish populations from displaced fishing effort is speculative, and the commenter does not provide any evidence to substantiate this claim. Although state marine reserves (SMRs) and to a lesser extent, state marine conservation areas (SMCAs) would reduce congestion of commercial and recreational fishing within those boundaries,

Commenter ID	Comment Number	Comment	Response
			continued commercial and recreational fishing activities would likely shift to areas outside of MPA boundaries. The South Coast Study Region MPA Environmental Impact Report certified by the Commission on December 15, 2010 addressed potential impacts due to shifts in fishing effort in Chapters 5, 6 and 7 and concluded that it would have less than a significant impact on marine species, habitats and air quality. Additionally, it should be noted that implementation of the Marine Protected Areas Monitoring Enterprise, an effort aimed at efficient, cost-effective MPA monitoring that meets MLPA requirements, would further lessen this potential impact. Serial depletion is considered in adaptive management as required by the MLPA. Adaptive management enables the Commission to address issues such as serial depletion when identified by the Department in association with long-term monitoring of the MPA network.
A32, A34, B32, C73, D71, E24, Form Letter 08	29	DFG will not be able to enforce or manage MPAs	See Master Response 7.
A34, B75, C12, C24, D24, D61, D90, D95, E04, E62, E64	30	Process is unfair	See Master Responses 1 and 6.
A33, A34, A61, B29, B75, E77, E92, F04	31	I have a right to fish	The so-called "right to fish" is neither absolute nor fundamental, but has been characterized by the courts as only a "privilege" or a "qualified right" subject to the Legislature's regulation of fishing. The California Supreme Court has long declared that the power to regulate fishing has always existed as an aspect of the inherent power of the Legislature to regulate the terms under which a public resource may be taken by private citizens (in re Quinn [1973] 35 Cal.App.3d 473; State of California v. San Luis Obispo Sportsman's

Commenter ID	Comment Number	Comment	Response
			Association [1978] 22 Cal.3d 440; Paladini v. Superior Court [1918] 178 Cal. 369; California Gillnetters Association v. Department of Fish and Game [1995] 39 Cal.App.4th 1145)." Also, see response to comment 22.
A34	32	Point Dume does not need protection	Comment noted. See Master Responses 1 and 4.
A35	33	Do not close Devereaux Reef to spearfishing	The Commission adopted Campus Point (no take) SMCA, which includes Devereaux Reef. The Campus Point SMCA design resulted from extensive cross-interest negotiations. Consensus on this geography and a paired geography at Point Conception was predicated on having no other open-ocean reserves upcoast of the Point Dune area. This backbone MPA plays an important role in larval connectivity and ecological function of the MPA network, protects broad range of marine and cultural resources and meets a broad range of MLPA goals and objectives.
A01, A40, A43, B06, C77	34	MLPA has been a fair, open, and inclusive process	Comment noted.
D39	35	UC Natural Reserve System is concerned regarding the proposed requirement for UCSD/Scripps Institution of Oceanography researchers to obtain Scientific Collecting Permits, there is a need for clarification as to whether the proposed regulation also includes classes and short-term collection for laboratory research purposes. We hope to work on an MOU with the Department that will allow the Natural Reserve System to	Comment noted. Scientific collecting permits are issued under other regulations (see Title 14, CCR Section 650)

Commenter ID	Comment Number	Comment	Response
		continue this 80-year stewardship.	
A37, A41, A43, A60, A81, A92, B08, B80, C99, D06, D48, D53, D77, E43(P), E63, Form Letter 01, Form Letter 19, Form Letter 23	36	Support 9 square mile SMR at South La Jolla	The Commission adopted a nearshore SMR (and an offshore SMCA) at South La Jolla. This SMR was created below the minimum science guidelines for MPA size, in order to minimize socioeconomic impacts to commercial, recreational and CPFV fishermen out of San Diego and Mission Bay harbors. The offshore SMCA size was also chosen to avoid including adjacent areas where existing military activities occur.
A46, E11	37	Questions regarding enforcement of MPAs	See Master Response 7.
A65	38	Swami's SMCA: Oppose allowing shore fishing to Swami's SMCA because it would result in reduced compliance with the science guidelines	The Commission considered all alternatives but adopted the IPA with Take Option B at Swami's SMCA (allowing shore fishing), based on testimony from the Department of Parks and Recreation, who manages the adjacent land. Prohibiting shore fishing would conflict with the primary purpose of Cardiff and San Elijo State Beaches adjacent to this SMCA.
A49, A64	39	Curtail or further regulate lobster fishing	Comment noted. General lobster regulations are outside the scope of this rulemaking.
A49	40	Stop overfishing	Comment noted. See Master Response 4.
A33, A51, A52, A53, A88, A99, B03, B75, C52, C90, D22, E01, E03, E76, E84, E92, E95, E98, Form Letter 14	41	MPAs create negative socioeconomic impacts	See Master Response 3.
A33, A51, A52, A62, B44, B65	42	Fishing is part of our local cultural heritage	See response to comment 22 and Master Response 3.
A51, A52	43	Closing fishing areas concentrate fishing activity into other areas, disproportionately increasing environmental impacts in certain areas	See response to comment 28.
A65	44	Supports changes to ISOR on	Comment noted. The Commission selected this

Commenter ID	Comment Number	Comment	Response
		converting Campus Point SMR to an SMCA	option (Option 2).
A54, A55, A88, A97, A99, B03, B62, B92, C01, C02, D03, D31, D33, D37, D43, D49, D54, D57, D60, D85, D86, D87, D88, E10, E66	45	Support Proposal 2	After taking public testimony on all the alternatives, the Commission adopted the IPA, and adopted specific sub-options identified in this Final Statement of Reasons for inclusion in the IPA. As compared to the IPA, Alternative 2 would have smaller adverse economic impacts to sport and commercial fishing related businesses and slightly less adverse impacts on air quality, but would result in the protection of less marine habitat and marine biological resources in MPAs. The Commission rejected Alternative 2 because the IPA does the best job of balancing the scientific guidelines and MLPA goals, bridging areas of divergence among the SCRSG proposals, resolving feasibility issues, and minimizing socioeconomic impacts to the extent possible.
A77, B05	46	Support Proposal 1	After taking public testimony on all the alternatives, the Commission adopted the IPA, and adopted specific sub-options identified in this Final Statement of Reasons for inclusion in the IPA. As compared to the IPA, Alternative 1 would result in the protection of slightly more marine habitat and marine biological resources in MPAs, but would have greater adverse economic impacts to sport and commercial fishing related businesses and greater adverse impacts on air quality. The Commission rejected Alternative 1 because the IPA does the best job of balancing the scientific guidelines and MLPA goals, bridging areas of divergence among the SCRSG

Commenter ID	Comment Number	Comment	Response
			proposals, resolving feasibility issues, and minimizing socioeconomic impacts to the extent possible.
A61, A63, B31, C94, E25, E65	47	Support IPA Swami's Option B	Comment noted. The Commission selected this option.
A61	48	Support continued monitoring efforts	Comment noted.
A63, B10	49	Support Crystal Cove SMCA Option B	The Commission adopted take Option A-R at Crystal Cove SMCA (allowing commercial take of coastal pelagic species spiny lobster and sea urchin, subject to gear restrictions). This MPA is intended to protect inter-tidal/tide pools. Take of species generally not associated with tide pools is permitted. Commercial take is allowed when it is consistent with the MPA designation.
A63	50	Support Swami's SMCA Option 3 or 4 with the addition of the sub-option to add shore-based fishing with hook and line gear	Comment noted. The Commission adopted Boundary Option 4 and Take Option B (allowing shore-based fishing with hook and line gear)
A63	51	Support Refugio SMCA Option 2 to retain existing SMCA designation	The Commission selected Option 1 for this area, which did not retain the Refugio SMCA. This SMCA does not contribute to backbone protection. The existing regulations and design are infeasible. Similar habitat is protected elsewhere.
A63, B10, C94, D21	52	Support Doheny Beach SMCA Option 2 to retain existing SMCA designation	The Commission selected Option 1 for this area, which did not retain the Doheny Beach SMCA. This SMCA does not contribute to backbone protection. The existing regulations and design are infeasible. Similar habitat is protected elsewhere.
A69, B45, E05	53	Impose more strict fishing limits	Comment noted. See Master Response 4.
A65, A70, B45, C43	54	Oppose shore fishing at proposed Swami's SMCA	Comment noted. See response to comments 2 and 38.

Commenter ID	Comment Number	Comment	Response
B65, E42(P), E80, Form Letter 13		Support a pelagic gamefish exclusion for breath-hold spearfisherman within ALL state marine conservation areas being proposed in the south coast	Spearfishing of pelagic finfish is allowed in 12 SMCAs where it is consistent with the MPA designation (Kashtayit, Naples, Point Dume, Abalone Cove, Arrow Point to Lion Head (Catalina Island), Bird Rock (Catalina Island), Farnsworth (Catalina Island) Onshore, Farnsworth (Catalina Island) Offshore, Cat Harbor (Catalina Island), Crystal Cove, Dana Point, and Swami's.SMCAs). The remaining five SMCAs where select take is allowed provide for certain types of recreational take and not others, depending on their objectives. In Bolsa Bay SMCA, boating, swimming, wading and diving are prohibited in this MPA for the protection of nursery habitat esturine process, which precludes speaprfishing. At Lover's Cove (Catalina Island) SMCA, recreational fishing by hook and line is allowed from the public pier only to avoid user conflicts with glass bottom boat viewing opportunities. Upper Newport Bay SMCA allows the recreational take of finfish by hook and line from shore only for the protection of nursery habitats. San Diego-Scripps Coastal SMCA allows the recreational take of coastal pelagic species, except market squid, by hook and line only, to minimize
			impact on fishermen who fish for bait under the pier. South La Jolla SMCA is an offshore SMCA that commences approximately 2 miles
			offshore – the recreational take of pelagic finfish, including Pacific bonito, by hook and
			line was identified as the primary type of recreational take in that offshore area.

Commenter ID	Comment Number	Comment	Response
			Tijuana River Mouth SMCA allows the recreational take of coastal pelagic species, except market squid, by hand-held dip net only, to avoid socioeconomic impact to the primary activity identified here, to shore-based fishermen who collect bait in this area. In addition, the Commission adopted 10 notake SMCAs. Recreational take of any kind is not appropriate in this type of MPA.
B23	56	Redesign boundaries for anchoring boats around Catalina Marine Science Center	Comment noted. This was not part of the proposed rulemaking, but can be addressed in a future rulemaking.
B24	57	Reconsider the "no anchoring" provision in Blue Cavern SMCA	Comment noted. See response to comment 56 .
A45, B25, C55, D67, E49(P), E52(P), E53(P), E58	58	Increase protection in the IPA where science guidelines are not met	Comment noted. See response to comment 2.
C43, C87	59	Support Swami's SMCA, Boundary Option 4, and Take Option A	Comment noted. The Commission adopted Boundary Option 4 and Take Option B for this SMCA. See response to comments 2 and 38.
D06	60	MPAs could impede beach sand replenishment	Comment noted. Where ongoing maintenance or restoration activities have been identified as occurring within the MPA boundaries, exemptions have been crafted that would allow these activities to continue.
A47, A76, E11	61	Allow for beach and facility maintenance, as well as public safety activities within Laguna reserve boundaries	The Commission selected this option. Where ongoing maintenance or restoration activities have been identified as occurring within the MPA boundaries, exemptions have been crafted that would allow these activities to continue. Also, see response to comments 6 and 10.
B21, E73	62	Spearfishing should be allowed in all SMCAs	Comment noted. See response to comment 55.
A65, C94	63	Arrow Point to Lion Head SMCA:	The Commission selected Arrow Point to Lion

Commenter ID	Comment Number	Comment	Response
		Support straight line boundaries as provided in ISOR (Option 2)	Head SMCA boundary Option 1 (retain boundaries with distance from shore) because the existing boundaries are well understood by the public.
D06, E19, E69, Form Letter 26	64	Support Swami's SMCA	The Commission adopted this SMCA.
D26	65	MPAs in San Luis Obispo region will impede fishing access	Comment does not address the regulations under consideration.
D39	66	Support expansion of San Diego Scripps SMCA because it helps achieve the goals of the MLPA	The Commission adopted the San Diego- Scrips Coastal SMCA and the Matlahuayl SMR in this area – essentially expanding the existing San Diego Scripps SMCA.
B82	67	Oppose establishing an MPA at Point Conception	The Commission adopted the Point Conception SMR. This MPA is a result of extensive cross-interest negotiations. It includes a major biogeographical boundary and is designed to protect key habitats including an upwelling zone, oil seeps, pinnacles, rocky reefs, kelp forest, deep rock and harbor seal haulouts. Access to this site is difficult, allowing for high conservation value while minimizing socioeconomic impacts. See also response to comment 33.
A63, A65, D11	68	Crystal Cove & Dana Point SMCA: Supports revision of take language with respect to protection of tidepool resources (protection for tidepools where recreational take is allowed below the mean lower low- tide line only)	Comment noted. The Commission selected these options.
A65	69	Doheny Beach SMCA: supports updated language in Option 2 to acknowledge existing structures.	The Commission did not retain the Doheny Beach SMCA. See response to comment 18.
A13, B58	70	Support a no-take SMCA buffer around the Aliso Creek outfall in the Laguna Beach SMR	Comment noted. The Commission selected Option 2-R for Laguna Beach, which creates a no- take SMCA adjacent to Aliso Creek. Also see

Commenter ID	Comment Number	Comment	Response
			response to comments 2 and 10.
A65, B90	71	Laguna Beach MPA: Supports revising language to clarify the elimination of existing restrictions on boat launching and anchoring.	Comment noted. The Commission selected this option.
A10, A65	72	Support IPA Laguna Beach Option 1	The Commission adopted Laguna Beach Option 2-R. See response to comment 10.
A48, A65	73	Lover's Cove SMCA & Casino Point SMR: Do not support fish feeding because the practice is generally inconsistent with the goals of the MLPA, especially for an SMR.	Comment noted. The Commission selected Option 2, which allows feeding of fish for the purpose of wildlife viewing only, to maintain the longstanding practice associated with local tourism.
B10, E70	74	Will maps and other boundary markers be provided to identify MPA boundaries?	Easily identifiable boundaries and/or landmarks are used when possible to aid in public understanding of MPA boundary locations. Informative publications including maps and regulations have been provided in other adopted regions.
A11, A27, B19, B26(P), B57, B60, B83, B85, C19, C27, C42, C51, C59, C86, D81, D82, D83, D84, E13, E36, E48(P), E50(P), E56(P), Form Letter 01, Form Letter 03, Form Letter 04, Form Letter 17	75	MPAs benefit the economy	Comment noted.
A71, A86, C90	76	Oppose inclusion of Rocky Point as part of the protection at Palos Verdes Peninsula	Comment noted. Rocky Point was not included in the MPAs in this area.
A72, F03	77	Oppose MPA off of Palos Verdes unless the State Water Board provides assurance that additional regulation of LACSD's discharge will not be triggered by designation of these MPAs	Comment noted.
B16	78	Protect L.A. River estuary	An MPA protecting the LA River Estuary was not included in any of the Alternatives and

Commenter ID	Comment Number	Comment	Response
			therefore is outside the scope of this rulemaking. Adding this MPA would require a separate rulemaking and associated environmental and socioeconomic analysis.
A78	79	Protect rocky intertidal habitat off Newport Beach in SMCAs at least to the degree of the current MPAs off Newport Beach (Badham and Crystal Cove)	The Robert E. Badham SMCA was subsumed into the Crystal Cove SMCA and boundaries were amended to address feasibility issues. Rocky intertidal habitat is still protected in this area.
B07, B64	80	Protect the Gaviota Coast (Point Conception, Naples reef, Tajiguas, Ellwood, Goleta Slough, and Isla Vista)	The Commission adopted the Point Conception SMR, Kashtayit SMCA, Naples Reef SMCA, Campus Point (no take) SMCA, and Goleta Slough (no take) SMCA, protecting the Gaviota Coast at Point Conception, Naples Reef, Ellwood, Goleta Sough and Isla Vista. The Commission did not retain the Refugio SMCA near Tajiguas. See response to comment 51.
A65, C87, C94, D39	81	San Diego Scripps Coastal and Matlahuayl SMR: Support Option 2.	Comment noted. The Commission selected this option.
B05	82	SMRs are better than SMCAs from an enforcement standpoint	Comment noted.
A65, C87	83	South La Jolla SMR/SMCA: Support Option 4.	Comment noted. The Commission selected this option.
A73, A78	84	Support adaptive management and five year monitoring plan	Comment noted.
A97	85	Support compromise Proposal 1 Point Dume SMR on north side of Santa Monica Bay	The Commission adopted a modified version of Proposal 1's Point Dume SMR. The west boundary was moved to coincide with a major landmark.
A76, E11	86	Support continued operation and monitoring of the wastewater outfall pipe at Aliso Creek Beach	The Commission adopted Option 2-R for Laguna Beach, allowing the the continued operation and monitoring of the wastewater outfall pipe at Aliso Creek Beach. Where ongoing operation, maintenance or restoration

Commenter ID	Comment Number	Comment	Response
			activities have been identified as occurring within the MPA boundaries, exemptions have been crafted that would allow these activities to continue. See response to comments 10, 60 and 70.
B16	87	Support education and open engagement in MLPA process	Comment noted. See Master Responses 1 and 6.
A66, E14	88	Protect marine parks/conservation areas and encourage public use and education of the marine environment	Comment noted.
A66, B42, E14	89	Protect marine cultural preserves	The Commission does not have the authority to designate marine cultural preserves.
A66, E14	90	Support MPAs in Santa Monica Bay so long as they were designed by the goals outlined in the MLPA process (e.g., stakeholder and scientific input)	Comment noted. The MPAs were designed by the goals outlined in the MLPA.
B04, B09, B15, E90	91	Support No-Take MPA at La Jolla	Comment noted. The Commission adopted a nearshore SMR, and offshore SMCA at South La Jolla and Matlahuayl SMR, which is at north La Jolla.
B09, B15	92	Support No-Take MPA at North San Diego County	The Commission adopted the San Elijo Lagoon no take SMCA in North San Diego County.
A77	93	Support Proposal 1 (Alternative 1) for Subregion 2 (Rincon Point to Point Dume)	See response to Comment 85. There were no other differences between the IPA and Proposal 1 in subregion 2
B20	94	Support reductions in Proposal 3 to accommodate beach nourishment and replenishments activities and maintenance activities of the existing San Elijo Powers Authority Wastewater outfall pipe found	Proposal 3 was not adopted; however the Commission adopted Swami's SMCA boundary option 4 and take option B which accommodates beach nourishment and replenishment activities and maintenance activities of the existing San Elijo Powers Authority Wastewater outfall pipe.
A78	95	Support SMCA in Upper Newport	The Commission adopted the Upper Newport

Commenter ID	Comment Number	Comment	Response
		Bay, inland of the Coast Highway Bridge and a continuous and consistent SMCA in the ocean from the east jetty of Newport Harbor to the southernmost boundary of the city's incorporated limits	Bay SCMA which is inland of the Coast Hwy Bridge to Jamboree Road. Boundaries of the existing SMP were modified for feasibility of enforcement. The Commission also adopted the Crystal Cove SMCA which begins at the east jetty of Newport Harbor and ends at the Laguna Beach SMR.
A66	96	Supports MLPA so long as it includes management framework that actively involves the SMBRC and coastal communities in long-term outreach and monitoring	Comment noted.
D19	97	Support creation of a catch share program	Comment noted. This comment is outside the scope of the proposed regulation.
A47	98	Add language for tidepool protections	Comment noted. The Commission adopted regulations to prohibit take from tidepools in Crystal Cove and Dana Point SMCAs.
A47, D11	99	Adjust take regulations for Crystal Cove SMCA and Dana Point SMCA – insert "no take of sheephead, sharks and rays" into Crystal Cove and Dana Point SMCA take regulations	The Commission adopted regulations which allow for the take of finfish in Crystal Cove and Dana Point SMCAs which is consistent for the ecological objectives of these MPAs These MPAs are intended to protect inter-tidal/tide pools. Take of species generally not associated with tide pools is permitted.
A57, B19, B33, B73, B74, B93, C37, C48, C50, C58, C61, C65, C72, C75, C82, C85, D66, D67, D72, D73, E21, E22, E23, E90, Form Letter 06, Form Letter 11, Form Letter 15	100	IPA does not meet the science guidelines – the ocean needs more protection	All proposals met the guidelines to varying degrees. Also, see Master Response 2.
C49, D62, D91, D93, D99, E04, E24, E74, E84, E92, E95, E96, E98	101	MLPA fails to address other causes for fisheries decline	Comment noted. See Master Response 4.
A32, C12, D95, E24, E67, E72, E81, E82, E84, E92, E95, Form Letter 14	102	California has seen rises in fisheries due to successful fisheries management practices. MPA closures are not necessary	Comment noted. See Master Response 4

Commenter ID	Comment Number	Comment	Response
D64	103	Support expansion of existing MPA in the proposed MPA cluster at Blue Cavern SMR	The Commission adopted the proposed MPAs in this area.
D06, D75, E59	104	Support San Dieguito Lagoon as an SMR or SMCA	The Commission adopted the San Dieguito Lagoon SMCA.
A66	105	Provided copy of resolution adopted by the Culver City City Council supporting the MLPA	Comment noted.
B10	106	Support Robert E. Badham Option 2 with Crystal Cove Options 3 and 4	The Commission adopted Robert E. Badham Option 1, subsuming this MPA into the Crystal Cove SMCA and selecting a geographically based name for public understanding. The Commission adopted Crystal Cove Option 1 to have the boundary extending north and south rather than diagonally to meet department feasibility guidelines.
D65	107	Comments providing an update on the progress of MLPA related outreach and education by the Monterey Bay Sanctuary Foundation.	Comments noted.
B65, B92, C20, C32, D68, Form Letter 16	108	Laguna Beach SMR – Support Option 4-R removing boat launching and anchoring restrictions	The Commission adopted Option 2-R for Laguna Beach. The Commission removed boat launching and anchoring restrictions, however, the Commission did not select boundary option 4. See response to comments 10 and 135.
B65, C20, C33, D68, Form Letter 16	109	Dana Point SMCA - Support Take Option B-R (inclusion of tidepools language) and Access Option A	Comment noted. The Commission selected these options.
B63, B65, C94, E25, Form Letter 16	110	South La Jolla SMR/SMCA – Support Boundary Option 1	The Commission adopted boundary Option 4 at both South La Jolla SMCA and South La Jolla SMR. To address feasibility concerns, the northern boundary was moved to avoid bisecting a reef that is popular for the

Commenter ID	Comment Number	Comment	Response
			recreational take of invertebrates and the southern boundary was moved to recognizable landmark.
B21, B65, Form Letter 16	111	South La Jolla SMR/SMCA – suggest addition of language to allow spearfishing	Comment noted. See response to comments 2 and 55.
A33, C12	112	Fish stocks in this area have been sustainable without protection	See Master Response 4.
B19, B28, C37	113	The ocean needs more protection	Comment noted.
B29, D16	114	The MLPA undermines the constitution	See response to comment 31 and Master Response 4.
B32, Form Letter 08	115	Support smaller Laguna SMR-with northern boundary at abalone point and southern boundary at Cress St.	The Commission adopted boundary Option 2 for Laguna Beach. A smaller MPA at Laguna, with boundaries as proposed by the commenter, would have resulted in the loss of kelp habitat protection, which is one of the key objectives of this MPA. Also see response to comment 10.
B34	116	Oppose any MPA at Swami's. Suddenly restricting random areas of beach lacks reason. Swami's mixed-uses should be retained.	Protection in this area is neither sudden nor random. This MPA incorporates two existing SMCAs, fronting State Beaches at Encinitas and San Elijo. MPAs apply to waters beyond the mean high tide line, not "beaches". Non consumptive uses such as boating and surfing are not restricted and some sport fishing is allowed in the Swami's SMCA. Swami's SMCA protects two reefs and protects and replicates the closest persistent kelp forest/surfgrass habitat and associated species south of the SMR at Palos Verdes. Further, it helps meet science guidelines for size and spacing and adds connective resilience to the macro-algae ecosystem food web function while providing a contiguous biological connection to the mouth of San Elijo

Commenter ID	Comment Number	Comment	Response
			Lagoon.
B46, B82, C12, C49, C52, D20, D62, D97, E24, E47, E77, E84, E92, E93, E95, E96	117	Suspend the South Coast MLPA implementation	Comment noted. See Master Response 1.
A32, B46, B75, E67, E96, E98	118	Oppose MPAs	Comment noted. See Master Response 1.
C20	119	Oppose MPA boundaries with diagonal lines that are hard to follow.	The Commission generally adopted boundaries extending north-south or east-west from shore to increase public understanding, except at Begg Rock where the SMR encompasses all state waters surrounding Begg Rock, and at Arrow Point to Lion Head SMCA, where existing boundaries that follow the shoreline were retained. Also, see response to comment 63.
B19	120	Support Begg Rock MPA	The Commission adopted an SMR at Begg Rock.
C34, C81	121	Support the IPA as presented (Dec 9, 2010) with no further alterations	The Commission adopted the IPA. The rationale for adjustments to the proposed regulation was presented in the 15-day notice. Also, see response to comment 2.
A14, C34	122	The IPA options in Laguna Beach will meet the science guidelines	Comment noted.
C20	123	Oppose no-take SMCAs because they are confusing; they should just be considered SMRs	Comment noted. Also, see response to comment 159.
C01	124	Oppose Proposal 3	This comment refers to Alternative 3; the Commission did not adopt Alternative 3. See response to comment 5.
C01, E79	125	Businesses cannot succeed with the passage of IPA or Proposal 3	Comment noted. See Master Response 5.
B23, B44	126	Shoredivers and kayak-fishermen are a historic part of the ecosystem, and in banning them, you are not protecting the environment - you are removing an integral part of the	The South Coast Study Region MPA Environmental Impact Report certified by the Commission on December 15, 2010 addressed potential impacts from removal of human predators in Chapter 7 (see pages 7-72 and 7-73)

Commenter ID	Comment Number	Comment	Response
		food chain.	and concluded that it would have a less than significant impact on marine ecosystems.
C02, C39	127	California halibut trawl grounds will lose at least 30% of their fishing area due from these MPAs	Comment noted.
C02	128	Remove sea otters and harbor seals to protect fish populations	Comment noted. Marine mammals are protected under the Marine Mammal Protection Act.
B56, C26, C40, E45	129	Support co-management of MPAs with tribes	Comment noted.
B94, C40, E45	130	Allow tribal activities to continue	Comment noted. The State respects all legally confirmed tribal rights.
C20	131	Support Laguna Beach Option 5	The Commission adopted Laguna Beach Option 2. The diagonal boundaries as proposed in Option 5 would have increased the size of the MPA and may have resulted in increased negative impacts to commercial and recreational fisheries in the expanded area. See response to comment 10.
C15	132	Proposal 2 provides inadequate protection at Palos Verdes	The Commission adopted Point Vicente no take SMCA and Abalone Cove SMCA at Palos Verdes. See response to comments 2 and 13.
C15, E53(P)	133	The IPA provides inadequate protection at Palos Verdes	The Commission adopted Point Vicente no take SMCA and Abalone Cove SMCA at Palos Verdes. See response to comments 2 and 13.
A10, A13, A14, B66, B76, B99	134	Oppose Laguna Beach Options 3, 4, 5	The Commission adopted Laguna Beach Option 2. See response to comment 10, 131, 135 and 154.
B63, C33, C34, C94, E65	135	Support Laguna Beach Option 4	The Commission adopted Laguna Beach Option 2. The diagonal boundaries as proposed in Option 4 would have increased the size of the MPA and may have resulted in increased negative impacts to commercial and recreational fisheries in the expanded area. See response to comment 10.
B53, B93, C36, C46, C91, D76	136	Support protection of Naples Reef	The Commission adopted an SMCA at Naples

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			Reef. See response to comments 5 and 9.
C38, E50(P)	137	Support maximum protection of Long Point (SMR)	Comment noted. The Commission adopted a SMR at Long Point.
B96	138	Support Campus Point SMR	The Commission adopted a no-take SMCA at Campus Point to allow for the operation and maintenance of artificial structures in the MPA. See response to comment 60.
B78	139	Support Blue Cavern SMR and Bird Rock SMCA	Comment noted. The Commission adopted Blue Cavern no take SMCA to allow for maintenance of artificial structures and Bird Rock SMCA. See response to comment 60.
B43, B63, C94	140	Support Refugio Option 1 - Removal	Comment noted. The Commission selected this option.
C31, C38, E50(P)	141	Protect Farnsworth Bank	The Commission adopted Farnsworth Onshore SMCA and Farnsworth Offshore SMCA. This MPA cluster allows for coastal pelagic/squid fishing while still maintaining high level of protection.
B75	142	Low-income people around Paradise cove were not well represented. By moving the boundaries a couple hundred meters to the Northwest, you would allow the preservation of the culture of fishing there. Young people will not have access to the marine resource	See Master Response 6.
B89	143	Move Point Dume boundary line to Little Dume for safety reasons	Comment noted. Safety was taken into account when designing the boundaries of the MPAs at Point Dume. The eastern boundary of the SMR was sited in the middle of the kelp bed to provide ecological protection while still providing safe access to a portion of the kelp bed outside the SMR, including Paradise Cove.
A32	144	Anglers will continue to fish in	Comment noted.

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		protected areas	
A32, C49, C67, D96, Form Letter 14	145	Other human impacts have detrimental effects on marine life	Comment noted. See Master Response 4.
B45, B98, C66, C68, C77, D04, D47	146	MPAs will create sustainable fisheries	Comment noted.
B44	147	Closures that ban a selective and sustainable method of fishing exemplified by consumptive diving, take away a healthy, food source for many Californians.	Comment noted. Closures only pertain to an area where an activity is prohibited, not the activity itself.
B44, B95	148	Support shore-based fishing	Comment noted.
B44	149	Support dive/kayak/spearfishing	Comment noted.
B44	150	Support sustainable hunting of pelagic species	Comment noted.
B73	151	Increase protection in L.A. County	Comment noted.
A47	152	Support DFG staff recommendations for Orange County MPAs	Support noted. See response to comment 2.
A47	153	Laguna Beach Option 2R boundary options should be updated as was intended in the amended ISOR so the southern boundary aligns with the division between beaches under city and county jurisdiction	The Amended ISOR included a modified boundary between Laguna Beach SMR and Dana Point SMCA in Laguna Beach Options 3, 4, and 5 to align with the division between beaches under city and county jurisdiction. This was based on public comment received after the ISOR was published. The Commission did not make this modification to boundary between Laguna Beach SMR and Laguna Beach SMCA in Option 2 in the Amended ISOR. This amendment may be considered in a future rulemaking.
B63	154	Support Laguna Beach Option 3	The Commission adopted Laguna Beach Option 2. Diagonal boundaries as proposed in Option 3 create feasibility issues for public understanding and enforcement. See response to comment 10.
B63, C94, E25	155	Support Crystal Cove Take Option	Comment noted. The Commission selected this

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		A for commercial take.	option (Take Option A-R).
B20, B63, C94, E25	156	Swami's SMCA - Option 1 Retain coordinates as proposed	The Commission adopted Swami's boundary Option 4, placing boundaries as known recognizable landmarks to enhance public understanding and enforceability. See response to comment 2.
B63	157	Retain current SMR boundaries at North La Jolla because they are well-marked and signed	The Commission adopted boundary option 2 for the North La Jolla MPAs (San Diego-Scripps Coastal SMCA and Matlahuayl SMR). The existing La Jolla SMCA boundary was modified to better meet feasibility concerns, identified by Department enforcement - the modified boundaries adopted for Matlahuayl SMR address enforcement concerns. Additionally, the adopted MPA cluster in North La Jolla was expanded to include additional habitat protection and encompasses most of the unique Scripps Canyon branch of La Jolla's submarine canyon system.
B63	158	South La Jolla SMR should be made into an SMCA because boat propellers will cut kelp as they cross this area.	An SMR designation does not necessarily prohibit mechanized watercraft. The MLPA only contemplates that access to an SMR be maintained "to the extent practicable" in an undisturbed and unpolluted state (Fish and Game Code section 2852(d)). Boating activity in this area is acknowledged. No data have been provided to substantiate this claim. See response to comment 2.
B65	159	Omit allowance for take in an SMR. In Point Vicente SMCA, allow continued kelp monitoring and restoration activities by Santa Monica Bay Keepers.	MPAs originally proposed as SMRs where ongoing maintenance or restoration activities were identified, have been redesignated as SMCAs under the final IPA adopted by the Commission. Comments noted.
B65, Form Letter 16	160	Blue Cavern (Catalina Island) – the boundary expansion of the Catalina	Comment noted. See response to comment 56 .

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		Marine Science Center SMR has expanded the no anchoring restrictions to a greater area. Only enforce anchoring rules in science reserve area until public mooring buoys are established.	
C48	161	Marine Protected Areas can coexist with open, accessible fishing	Comment noted.
C49, D62, D90, D93, E24, E25	162	Fishery management in California is working. Recreational fishing closures are not needed.	Comment noted. See Master Response 4.
C20, C53, C94, D45	163	Support Dana Point Access option A	Comment noted. The Commission selected this option.
C58	164	Increase protection in SMR designation for kelp forests off of San Diego – only 1% of San Diego kelp forest is protected in SMRs.	Kelp forest habitat in San Diego is protected by three SMRs that cover an area greater than the 1% of total available kelp forest the commenter has eluded to. The IPA increases the existing protection of kelp forest habitat in the San Diego area by the addition of two new SMRs (Matlahuayl SMR and South La Jolla SMR), while slightly expanding an existing SMR at Point Loma.
C63	165	Support continued fishing for fin fish from the Point Vicente Fishing Access area	The Commission adopted a no-take SMCA at Point Vicente. Allowing recreational take in Point Vicente no-take SMCA would be inconsistent with its ecological objectives.
C63	166	Support protection of tidepools at Point Vicente	The Commission adopted a no-take SMCA at Point Vicente, which includes tidepools.
C63, D92, D96, D98	167	Recreational sport fishing does not have a large impact on fisheries	Comment noted. See Master Response 4.
C67	168	California fisheries are not declining	Comment noted. See Master Response 4.
C67	169	The south coast MPA adoption meeting is not in a central location	Comment noted. See Master Response 6.
C70, C77, C79, D63, E13	170	The IPA is a fairly balanced representation of the needs expressed by the various	Comment noted.

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		stakeholders	
C13, C71	171	Oppose omission of South Laguna in the IPA Laguna SMR	The Commission adopted a no-take SMCA for South Laguna. See response to comment 10.
C75	172	The overprotection of harbor seals has led to the decimation of fish in their previous breeding areas	Comment noted. Marine mammals are protected under the Marine Mammal Protection Act.
B20	173	Reduce southern boundary expansion of Swami's SMCA to the San Elijo Lagoon Inlet because the SMCA designation could interfere with beach nourishment and operation and maintenance of artificial structures and because the habitat is non-critical sandy bottom.	The Commission adopted Swami's boundary option 4, placing the boundaries at easily recognizable landmarks. The adopted regulations expressly allow for beach nourishment and operation and maintenance of artificial structures in the MPA pursuant to required permits.
D80	174	Support pelagic game fish exclusion at Point Vicente SMCA	Comment noted. See response to comment 5 and comment 178(c).
B20	175	Hwy 101 is expected to have potential road closures and undermining. They are designing a bridge and jetties that protect the highway. The language in the regulations precludes the city from protecting the highway.	See response to comment 86.
B20	176	The areas that the City of Encinitas proposes to modify [Swami's northern and southern boundaries] are not areas of critical habitat and are heavily populated beaches and roadways.	Comment noted. See response to comments 156 and 173
A36	177	The Department of Defense supports the draft regulatory package and the recognition of the ecological benefits of the new Federal Safety Zones at San	Comment noted. MPA classification may not be inconsistent with US Military activities deemed mission critical (Public Resources Code §36710).

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C80	Number 178	Clemente Island as "contributing to the ecological goals of the MPA network" and with the acknowledgement that "military operations are already exempt within all MPAs under existing law" (a) The City of Rancho Palos Verdes (RPV) was not included in BRTF outreach efforts. The City wasn't aware of potential impacts to area in RPV until after the DEIR was published, because the proposals leading up to the IPA didn't show any impact to any of the areas in RPV. (b) RPV also submitted a letter for the DEIR about the City's Point Vicente Fishing Access. The fishing access is part of the City's general plan, and has been established as a recreational fishing area for nearly 40 years. The City invested thousands of dollars recently in improving the area. (c) The City requests that recreational shore-based hook and line fishing, and recreational spear fishing of pelagic finfish be allowed to continue in this area. The City supports the expansion of the Abalone Cove MPA, especially the use of shore-based hook and	(a) See Master Response 6. (b) The Commission is moving forward with the regulation for the reasons described in the Amended Initial Statement of Reasons. The adopted SMCAs still allow access for nonconsumptive recreational activities. See response to comment 5. (c) This area includes Point Vicente no-take SMCA and Abalone Cove SMCA. Abalone Cove SMCA allows recreational take of pelagic finfish by spearfishing. Allowing additional uses such as hook and line fishing in Abalone Cove SMCA would reduce the level of protection and ecological benefits of this SMCA. Allowing recreational take in Point Vicente no-take SMCA would be inconsistent with its ecological objectives. Also, see response to comment 5.
A19	179	line fishing here. Request for the Commission to	The Commission appreciates this reference to

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		review the 2-year aerial boat survey data from Santa Monica Bay Restoration Commission, Lighthawk, and Santa Monica Baykeeper. These maps show that the vast majority of fishing grounds will remain open to fishing in all proposals, including prime fishing spots in Los Angels County along the Malibu and Palos Verdes Coasts.	additional information. This dataset was available to the RSG, SAT and BRTF in MarineMap during planning process.
A19	180	The amount of recreational fishing observed in the Proposal 3 MPA was not significantly different from the amount of recreational fishing observed in the IPA for Palos Verdes.	Comment noted.
A14, B90	181	Support Laguna Beach Option 2R	Comment noted. The Commission selected this option. See response to comment 10
A14	182	Support the amended ISOR revisions to Crystal Cove, Dana Point, and Bolsa Chica wetlands: the protection of tidepools in Crystal Cove and Dana Point SMCAs; restricting swimming in only the currently restricted areas of Upper Newport Bay SMCA; and adding allowances for safety and beach maintenance and anchoring in the Laguna SMR.	Comment noted. The Commission selected these options.
A14, A68	183	Support Doheny Beach Option 1 - Removal	Comment noted. The Commission selected this option.
A14, C94	184	Robert E Badham Option 1 - remove and subsume into Crystal	Comment noted. The Commission selected this option.

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		Cove	
A14	185	Support Dana Point Option 1A,	Comment noted. There was no Option 1A, although the Commission selected Boundary Option 1 (linked to Laguna Option 2), establishing straight line boundaries for public understanding and enforcement; Take Option B, specifying that take is only allowed outside tidepools; and Access Option A, removing existing restrictions on entry, for this area. See response to comments 10, 131, 135, 154, 186, 187.
A14, B10, E91	186	Support Dana Point Access Option B	The existing Dana Point SMCA regulations prohibit entry into the intertidal zone for purposes of taking or possessing any species of fish, plant, or invertebrate, except under a scientific collecting permit and with the approval of the director of the SMCA. The Commission adopted new boundaries for Dana Point SMCA (boundary option 1), expanding the coastal coverage of the SMCA northward by over three linear miles, and added an allowance for recreational take of finfish by hook and line or by spearfishing (take option B). This additional take allowance would have been in conflict with the no entry restriction; therefore, the Commission adopted Dana Point Access Option A, to remove the access restrictions; and removed scientific oversight by the director of the original Dana Point SMCA to reduce the complexity of the regulations.
A14, B10	187	Support Dana Point Take Option B	Comment noted. The Commission selected this option.
A14	188	IPA options will open up areas in Orange County to benefit	Comment noted.

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		commercial lobster and urchin fishing, and shore and kayak diving	
A11	189	The bioeconomic modeling from the SAT overestimated the detriments of MPAs to fishermen, and underestimated benefits	Comment noted. See Master Response 3.
A11	190	Commercial urchin harvesting is not the only alternative for continued commercial harvesting. There is also rich shellfish harvest in surrounding areas.	Comment noted.
C87, D77	191	Support Swami's SMCA, Take Option A	The Commission adopted Swami's SMCA take Option B. See response to comments 2 and 38.
A14	192	Support Crystal Cove Take Option AR	Comment noted. The Commission selected this option.
A72, B51	193	LACSD will hold in abeyance their opposition to Palos Verdes MPAs if the State Water Board resolution passes according to the present timeline, and without modification.	Comment noted.
C89	194	SWRCB Resolution in response to LACSD	Comment noted.
C94	195	Casino Point and Lovers Cove SMCAs – Support Option 2 to allow feeding of fish	Comment noted. The Commission selected this option.
C94	196	Support Crystal Cove Option 2	The Commission adopted Crystal Cove boundary Option 1 (linked with Laguna option 2). See response to comments 131 and 135.
C94	197	Support Dana Point SMCA Option 2 (linked to Laguna Beach boundary Option 4)	The Commission adopted Dana Point Boundary Option 1 (linked to Laguna Beach boundary Option 2). See response to comment 135.
C94	198	If Refugio is added, Naples SMCA should be removed.	Comment noted. Refugio SMCA was not included in the adopted regulations.
B19, C82, C85	199	The IPA provides minimal	Comment noted. See response to comment 5

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		protection; strengthen the IPA	
A86	200	Support Proposal 3 with revisions and modifications to exclude Rocky Point	Comment noted. See response to comments 5 and 76.
D70	201	Protecting marine areas provides a strong economic benefit to businesses and cities by having a direct effect on the recreational and educational opportunities available to our employees and their families.	Comment noted.
D71	202	Oppose adding Wind-and-Sea Beach's Big Rock reef to the South La Jolla SMR	Comment noted. The Commission selected Option 4 for this area, which encloses the reef. This SMR was designed to provide protection for a portion of the most diverse and extensive representation of marine life and habitats in the study region: dense kelp forest, rocky and sandy intertidal areas, rocky reefs, and hard 30-100 meter habitat. Also see response to comment 110.
D39	203	The UC San Diego Natural Reserve System will need funding for increasing staff or to support the volunteer program, as well as buoys, binoculars, signs, and publications	Comment noted.
C21	204	Support SMR protecting Casa Beach in La Jolla	An SMR at Casa Beach was not included in any of the Alternatives and therefore is outside the scope of this rulemaking. The Commission selected the northern La Jolla MPA complex, which has a southern boundary approximately 0.4 miles north of Casa Beach. This was the existing southern boundary of the existing MPA; an extension of the southern boundary to encompass Casa Beach would have had negatively impacted the recreational

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			and commercial fisheries that operate in that area. Adding a separate MPA at Casa Beach would require a separate rulemaking and associated environmental and socioeconomic analysis.
A65, B50, D77	205	At Swami's SMCA, support incorporation of State Parks boundary suggestions under ISOR Option 4	Comment noted. The Commission selected this option.
E11	206	Request for equal regulatory (ISOR) analysis among all 4 proposals - not just the IPA	Comment noted. The APA only requires analysis of the proposed project.
E11, E64	207	Request for additional MLPA funding information.	Comment noted. See Master Response 5.
E11	208	Establish an MOU with the County of Orange to create management partnership; allow continued dredging and maintenance activities to existing structures and harbors; allow for non-consumptive recreational activities and commercial marine activities to continue within Orange County	Comments noted. The adopted south coast regulations will not create any new restrictions for non-consumptive recreational activities. Commercial marine activities in waters bordering the County of Orange are unaffected by the south coast MPAs, unless within the boundaries of a designated MPA, in which case varying degrees of restrictions exist for commercial marine activities depending on the specific MPA. Also, see response to comment 86.
E15	209	The term "take" is not defined in Section 632 of Title 14, California Code of Regulations, nor in the proposed changes. The term "marine resource" is not defined.	Take is adequately defined in Fish and Game Code Section 86. "Marine resource" is adequately defined in Fish and Game Code Section 96.
E16	210	Campus Point SMR overlaps existing oil and gas leases	The Commission adopted Campus Point as a SMCA which allows for ongoing permitted activities. Also see response to comment 86.
E20, Form Letter 16	211	Allow pelagic gamefish spearfishing	See response to comment 178(c).

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		and shore-based hook-and-line fishing exclusions to the Point Vicente SMCA	
E25	212	Allow commercial and recreational take of lobster in Swami's MPA	The Commission adopted regulations for Swami's SMCA that prohibit the commercial and recreational take of lobster. Take of lobster would be inconsistent with the ecological objectives of this SMCA.
E42(P), Form Letter 13	213	SCSR MPAs disenfranchise a small user group (spearfisherman) who have no impact on pelagic gamefish resources, especially because MPAs have no direct benefits to pelagic gamefish (e.g., yellowtail, white seabass, and members of tuna family). Additionally, MPAs will negatively impact restoration and scientific data-collecting activities that breathhold fisherman participate in. This is a severe environmental injustice and loss of cultural resource. Shore-based divers have limited safe, coastal access points, some of which run through SMR boundaries. This will confuse enforcement when divers traverse through SMRs with catch in hand.	The assertion that research efforts will be lost as a result of MPAs is speculative, as permitting of research and monitoring will continue under other regulations. Also, see responses to comments 35 and 147.
Form Letter 16	214	 (a) Oppose ISOR amendments to allow water quality monitoring in SMRs. (b) Support ISOR amendment Point Dume SMCA Option B to allow other permitted activities. (c) For Painted Cave and Anacapa 	(a) The MLPA states that monitoring and research may be allowed in all MPA designations. Mandated water quality activities required under the federal clean water act and California Water Code are permitted in all MPA designations pursuant to a scientific collecting permit. Also, see response to comment 159.

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		Island SMCAs – suggest addition of the following language: The recreational take of pelagic finfish [subsection 632(a)(3)], including Pacific bonito, and white seabass by spearfishing [Section 1.76] in all pre-existing SMCAs in which lower level of protection activities are presently allowed (take of spiny lobster).	(b) The Commission selected Point Dume Take Option B. (c) Changes to Painted Cave and Anacapa Island SMCAs were not under consideration in the proposed regulation and therefore the comment is outside the scope of the proposed regulation. As adopted by the Commission, all SMCAs that allow recreational take of spiny lobster also allow recreational take of pelagic finfish and white seabass by spearfishing, except Painted Cave SMCA, which was not under consideration in the proposed regulation. Also see response to comment 55.
E39(P), Form Letter 07, Form Letter 22	215	Support an SMR at Point Dume	Comment noted. The Commission adopted this SMR.
C31, E41(P)	216	Support SMR on eastern side of Point Dume, in Paradise Cove	Comment noted. Paradise Cove was not included in the Point Dume SMR. See response to comments 5 and 143.
B75	217	Support the use of artificial reefs instead of MPAs	Comment noted. This comment is outside the scope of the proposed regulation.
E38(P)	218	Support consensus petition submitted on behalf of the Waterman's Alliance	Comment noted. See responses to comments 108, 109, 110, 111, 160, 211 and 214.
B65	219	Support Point Dume take Option B	Comment noted. The Commission selected this option.
A93	220	Support the State Water Resources Control Board Resolution regarding potential regulatory changes near MPAs	Comment noted.
B65	221	Omit allowance for any take within any State Marine Reserve from Water Quality monitoring subsection added to General Rules and Provisions	The Commission adopted subsection 632(a)(9) which makes explicit that the provision for monitoring in MPAs applies to water quality monitoring and clarifies that this activity is authorized in all MPAs pursuant to a scientific collecting permit. See response to comment

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A72, D79	222	Oppose establishing MPAs adjacent to Palos Verdes because this is low quality habitat, with pollution and sedimentation. Commenter also expressed concerns that the SWRCB may adopt regulations concerning water quality in this area if the Commission establishes an MPA in this area.	The Commission adopted two SMCAs in this area: Point Vicente (no take) SMCA and Abalone Cove SMCA. This MPA cluster captures all but 3 key habitats across a broad range of depths. See comment 193.	
C42	223	Provided map of fishing effort in the La Jolla area. Said map was available to RSG. Commented that IPA only straightens a line at the La Jolla Shores access point. Paddling through the area has gone on for years.	Comment noted. The Commission appreciates the data provided.	
E70	224	Allow commercial take of lobster and sea urchin in moderate to low level of protection SMCAs	Commercial take of lobster and sea urchin is allowed in MPAs where it is consistent with the objectives of the SMCA.	
E75	225	Oppose an MPA at La Jolla Cove	The Commission adopted Matlahuayl SMR which encompasses La Jolla Cove. This location held a long-standing existing SMCA which was expanded and redesignated as an SMR. See response to comment 157.	
C12, E62, E74	226	The MLPAi and SAT violated the APA, CEQA, PRA and MLPA itself.	This comment is not directly related to the proposed regulation or the Commission's rulemaking procedures.	
E89	227	Allow take of migratory and pelagic species in SMRs. Total closures blindly deny fishing and diving access to persons who legitimately should have access to these species and who genuinely want to	Comment noted. See response to comments 19, 22, 31 and 147.	

Commenter ID	Comment Number	Comment	Response
		see them preserved.	
F01	228	(a) Commenter encourages Department to provide maps of MPAs with their coordinates in regulations booklets. (b) Commenter does not understand if proposed regulations for accommodating permitted infrastructure also apply to SMRs, and include future repermitting. Expressed concern for implications for Northern Channel Islands MPAs and how this may affect existing SMR designations there, where infrastructure exists. (c) Request reconsideration of designating SMRs as no-take SMCAs when infrastructure is present based on concerns that it will complicate public understanding and exacerbate existing enforcement challenges. Use permitting and CEQA/NEPA documentation instead.	 (a) Comment noted. See response to comment 74. (b) As explained in the Amended Initial Statement of Reasons, MPAs are not intended to prohibit take associated with maintenance of existing structures that is permitted by other state, federal, or local entities. To clarify, the Commission has identified MPAs with existing structures, and designated them as no-take SMCAs with allowances for maintenance activities associated with existing structures and activities. The Northern Channel Islands MPAs established in prior Commission rulemakings are not the subject of the current Commission regulatory action. Potential conflict between existing facilities and the existing MPA designations will need to be addressed by future Commission action as necessary. (c) Commenter-provided examples of future rulemaking actions is speculative. Based on the reasons described in the Amended Initial Statement of Reasons and response (b) to this comment (228), the Commission adopted the proposed regulation.
B63	229	Mooring sites in Point Conception SMR need to be addressed. Should this be an SMCA?	The existence of mooring sites within the Point Conception SMR was not confirmed during the rulemaking process and therefore activities for maintenance of such facilities were not part of the proposed rulemaking. If found necessary, this issue can be addressed in a future rulemaking.
B55	230	The commenter makes eight comments alleging the following: (a) violation of the Government Code section 11346.8(a) [requiring	(a): The amended regulation was sufficiently related to the original text that the public was adequately placed on notice that the change could result from the original proposed regulatory action.

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		a 45-day notice period]; (b) failure to re-circulate the EIR; (c) failure to comply with MLPA requirements; (d) failure to comply with MMAIA requirements; (e) improper delegation of legislative authority; (f) insufficient statutory authority to adopt; (g) failure to obtain a Coastal Development Permit; (h) violations of openness, transparency, and the Public Records Act.	(Government Code section 11346.8(c); 63 Ops.Atty.Gen. 143 (1980).) (b): The EIR was adequate to to address the revised proposed regulations (c), (d), (e) and (h): Comments concerning the roles and responsibilities of the Department of Fish and Game in preparing, or causing to be prepared, the Master Plan (Fish and Game Code section 2855(b)), and/or the Blue Ribbon Task Force, an advisory entity, are not specifically directed at the proposed action or to the procedures followed by the Fish and Game Commission in proposing the action. (c): The Commission notes, but rejects changes based on this comment. Nothing in the MLPA precludes the Commission from adopting regional MPAs under its independent existing authority absent a Final Master Plan. In fact, just the opposite is true. Fish and Game Code section 2861(c) expressly permits the Commission to designate new MPAs prior to a Final Master Plan. In addition, Fish and Game Code Section 2859(b) says nothing about requiring a final Master Plan before regulations are adopted. The Commission did not cite section 2859 as authority for its rulemaking action because the statute does not provide designation authority, and the comment misinterprets section 2859(b). The Commission's interpretation of section 2859 was recently upheld by the Court in United Anglers of Southern California v.

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			Fish and Game Commission, case no: 37-2011-00084611, San Diego Superior Court, Filed 1/27/2011, in which the Court held: "The fact that Fish and Game Code section 2859 subd. (b) contemplates that additional regulations will be adopted after adoption of the final Master Plan does not mean that the Respondent [Commission] is barred from adopting other regulations before the adoption of the final Master Plan, especially since section 2859 subd. (c) expressly confers authority to designate MPAs before the conclusion of the Master Plan process. Notably, the Court in Coastside Fishing Club v. Resources Agency (2008) 158 Cal.App.4 th 1183, 1194 already sanctioned a regional and phased approach to MPA planning."
			(d): The Commission notes, but rejects any changes based on this comment. Citing Public Resources Code section 36800, Commenter argues that the Marine Managed Areas Improvement Act (MMAIA) prevents the Commission from adopting MPAs in the absence of a preliminary review by the State Interagency Coordinating Committee (Coordinating Committee). The proposition that Coordinating Committee review is a condition precedent to implementing the MLPA is not supported by a plain reading of either the MLPA or the MMAIA, and was recently rejected by the Court in United Anglers of Southern California v. Fish and Game Commission, case no: 37-2011-00084611, San Diego Superior Court, Filed

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			1/27/2011.
			Under the MMAIA, the Coordinating Committee has two roles: overseeing the standardization of MMA classifications and reviewing MMA proposals made by individuals and organizations. (Public Resources Code section 36800.) The MMAIA expressly states that the Coordinating Committee review process is not intended to interfere with the MLPA (Public Resources Code section 36900(e)).
			As the Court in United Anglers of Southern California v. Fish and Game Commission, case no: 37-2011-00084611, San Diego Superior Court, Filed 1/27/2011 held, Coordinating Committee review is "not required by Respondent's [Commission's] rulemaking process involving MPA designations [because it] only applies to external MMA proposals from individuals and organizations and not managing and designating entities. (Pub. Resources Code §§36800, 36900.) Notably, section 36900 distinguishes between individuals and organizations and managing
			and designating entities. A managing entity includes the Department [of Fish and Game] and defines designating entity to include Respondent [Commission]. (Pub. Res. Code § 36602(b), (c).) Here, Petitioner [Commenter]
			admits the BRTF was convened as an advisory body to the Department and Resources Agency and thus was vested with quasi-state entity status. (Moving Paper, p. 21.)

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			Respondent [Commission] concluded that the MMAIA does not require review by the Coordinating Committee where the MPA proposals were crafted through a process overseen by a "managing entity." Respondent's interpretation of the statute is entitled to great weight. (Morris v. Williams (1967) 67 Cal.2d 733, 748.)" Significantly, the Court also affirmed that the designation authority in Fish and Game Code section 1590 was not subject to the Coordinating Committee review process because it existed as a stand-alone statute that was outside the MMAIA.
			The MMAIA only states that the MMA reclassification process is the responsibility of the Coordinating Committee, "and shall occur to the extent feasible in conjunction and consistent with" the MLPA." (Public Resources Code section 36750.) The Coordinating Committee reviews external proposals for new or amended MMAs to ensure that the minimum required information is included in the proposal, to determine those state agencies that should review the proposals, and to ensure consistency with other such designations in the state. (Public Resources Code section 36800). Thus, the only Coordinating Committee review requirement is that future proposals from individuals and organizations be consistent with the MLPA. Again, this is consistent with the legislature's intent that the MMAIA work in coordination with but be separate from the

Commenter ID	Comment Number	Comment	Response
			provisions of the MLPA. (Assembly Committee on Parks & Wildlife Report on AB 2800 (April 25, 2000).
			(f): There is sufficient statutory authority to adopt the proposed regulations. The MLPA itself states that it is not intended to restrict any <i>existing</i> authority to change existing MPAs or to designate new ones. (Fish and Game Code section 2861(c). When the MLPA was enacted in 1999, the existing authority lay in Fish and Game Code section 1580. The following year, AB 2000 created new section 1590, amended the MLPA, and enacted the MMAIA. Section 1590, then, is now the existing authority to designate MPAs, in addition to those authorities directly conferred by the MLPA and MMAIA (g): In 2001, the California Coastal Commission determined that the MLPA implementation does not require a Coastal Development Permit. (See
			FSOR Attachment A)
B55	231	Commenter submitted 20 compact disks at the December 15, 2010 adoption hearing	The person submitting the disks made no reference to any content that might have been on the disks. Given the last-minute submission of these disks at the adoption hearing, neither the Commission nor its staff had any opportunity to review any of the content of the disks prior to the adoption of the regulations.

Table 8, below, provides a summary of the comments received on the Commission's October 3, 2011 15-day notice and provides responses to those comments.

Table 8. Summary and Response to Comments on October 3, 2011 Notice

Commenter	Comment Number	Comment	Response
Joey Racano Written comments 10/4/11	232	Supports the most protective options in the 15-day notice.	Comment noted.
Joey Racano Written comments 10/4/11	233	Supports an SMR at Children's Pool	This comment is outside the scope of the 15-day notice.
Greg O'Loughlin Written comments 10/5/11	234	Understands the need for the changes presented in the 15-day notice	Comment noted.
Greg O'Loughlin Written comments 10/5/11	235	Concerned that the reserves are not meeting the requirements set by the SAT. SMRs at Laguna Beach and La Jolla are too small to contribute to the overall network.	This comment is outside the scope of the 15-day notice.
Wendy Tochihara Written comments 10/12/11	236	Maps of the MPAs were not included in the notice	Maps were included in the ISOR and ISOR attachments.
Wendy Tochihara Written comments 10/12/11	237	Request open houses be conducted to inform and educate the public	This comment is outside the scope of the 15-day notice.
Wendy Tochihara Written comments 10/12/11	238	MPAs will have huge economic impact to fishermen and will be devastating to small business. MPAs will cost fishermen less harvest revenue; local economies will have a loss in income, jobs and tax revenue; lobster fishermen will be displaced causing increased cost due to traveling; we will have too many fishermen in the same area and a larger carbon footprint. Request full economic impact study be conducted.	See Master Response 3.
Wendy Tochihara Written comments 10/12/11	239	Questioned how the commission can find that the proposed regulation is less burdensome to the affected private persons if the economic impact beyond the dock is unknown.	See Master Response 3.
Wendy Tochihara Written comments 10/12/11	240	Other fisheries management tools work.	See Master Response 4.
Form Letter 27 Written Comments 10/14-18/11			
Wendy Tochihara	241	Address issues of poor water quality and pollution	This comment is outside the

Commenter	Comment Number	Comment	Response
Written comments 10/12/11			scope of the 15-day notice.
Karen Garrison, Kaitilin Gaffney, Sarah Sikich Written comments 10/13/11	242	Support the IPA and a January 1, 2012 implementation date	Comment noted.
Joe Exline Written comments 10/14/11	243	Add provision for transit of an MPA by divers/shore based anglers	This comment is outside the scope of the 15-day notice.
Joe Exline Written comments 10/14/11	244	There is no director of the Blue Cavern SMCA from whom to request authorization to moor a vessel or take fish or marine life specimens for scientific purposes	This comment is outside the scope of the 15-day notice.
Joe Exline Written comments 10/14/11	245	Feeding of invertebrates and mollusks, not just fish, takes place at Casino Point and Lover's Cove MPAs	This comment is outside the scope of the 15-day notice; however, to clarify, the definition of "fish" in Section 45 of the California Fish and Game Code includes both fish and invertebrates, and therefore these are authorized at Casino Point and Lover's Cove SMCAs.
Joe Exline Written comments 10/14/11	246	Why isn't fishing from artificial structures or vessels using hook and line allowed in the Upper Newport Bay SMCA?	This comment is outside the scope of the 15-day notice. However, to clarify, fishing from shore, which includes artificial structures attached to the shore, is allowed in this SMCA. Changes to allow fishing from vessels can be considered in a future rulemaking.
Joe Exline Written comments 10/14/11	247	Proposed regulations in subsections 632(b)(111)(D) and 632(b)(113)(D) may override the ability to have take from this area. Fishing from shore inside this area with hook and line could be interpreted as having fishing gear deployed in an area where take is prohibited. If an angler is standing in the tidepool zone yet the hook is deployed in the ocean past this zone, it could be argued that they are performing take in a no take area. Please remove subsection (D) if the intent cannot be made clear.	The regulatory language clearly expresses its intent. This comment is outside the scope of the 15-day notice.

Commenter	Comment Number	Comment	Response
Joe Exline Written comments 10/14/11	248	Support Laguna Beach Option 3-R to avoid the Aliso Pipe. Or support Option 2-R removing the launching and anchoring restrictions.	The Commission adopted Laguna Beach Option 2-R which avoids the Aliso outfall pipe and removes the restrictions on boat launching and anchoring. Also see response to comment 154 in Table 4.
Joe Exline Written comments 10/14/11	249	Support Dana Point Boundary Option 2.	The Commission adopted Dana Point Boundary Option 1. See Response to comment 197 in Table 4.
Joe Exline Written comments 10/14/11	250	Support alternate boundaries for Swami's SMCA	This comment is outside the scope of the 15-day notice.
Joe Exline Written comments 10/14/11	251	Support San Dieguito Lagoon Option 1: Remove the San Dieguito Lagoon SMP.	The Commission adopted San Dieguito Lagoon Option 2: Retain this MPA and redesignate it as an SMCA. The Commission does not have justification to remove this MPA.
Joe Exline Written comments 10/14/11	252	If the MPA is retained, changes are needed for fishing regulations within the San Dieguito Lagoon SMCA (fishing from the Grand Avenue Bridge, shoreline fishing).	The 15-day notice retains San Dieguito Lagoon unmodified except for redesignation to an SMCA; however, changes can be considered in a future rulemaking.
Joe Exline Written comments 10/14/11	253	Maintenance of artificial structures in the Matlahuayl SMR conflicts with its designation as an SMR.	This comment is outside the scope of the 15-day notice.
Joe Exline Written comments 10/14/11	254	Support South La Jolla boundary Option 2.	This comment is outside the scope of the 15-day notice.
Joe Exline Written comments 10/14/11	255	Retain the IPA southern boundary of South La Jolla.	This comment is outside the scope of the 15-day notice.
Dick Bobertz Written comments 10/18/11 Donald Mosier	256	Supports San Dieguito Lagoon Option 2 – retain the MPA and redesignate it as an SMCA	The Commission selected this option.
Written Comments 10/17/11 Dick Bobertz	257	Expand the boundaries of the San Dieguito SMCA	See response to comment 252.

Commenter	Comment Number	Comment	Response
Written comments 10/18/11			
Dick Bobertz Written comments 10/18/11 Donald Mosier Written Comments 10/17/11	258	Support addition of regulatory language to allow for routine operation and maintenance, habitat restoration, maintenance dredging, research and education, and maintenance of wetlands inside the San Dieguito Lagoon SMCA with appropriate permits	This comment is outside the scope of the 15-day notice.
Dick Bobertz Written comments 10/18/11 Donald Mosier Written Comments 10/17/11	259	Support modification of fishing regulations within the San Dieguito Lagoon SMCA to be consistent with City of Del Mar regulation.	See response to comment 252.
Steven Strauss Written comments 10/11/11	260	I. If the MLPA statute has not been implemented, referencing its standards leads to the illogical conclusion a state agency may promulgate rules designed to satisfy requirements of legislation whose standards cannot be fully known. The Commission has purposely avoided answering repeated questions regarding whether or not the MLPA can be implemented until a master plan is complete.	The MLPA is being implemented in a phased approach. See Response to Comment 230(c).
Steven Strauss Written comments 10/11/11	261	II. The Commission should rank the alternatives based upon the codes used as its statutory authority.	Comment noted. Nothing in the MLPA requires such a ranking.
Steven Strauss Written comments 10/11/11	262	III. The Commission's finding is an unsupported opinion. The Commission should support this statement with specific reference to the expert analysis supporting the Commission's conclusion-prepare a matrix comparing to what extent each alternative meets each goal, assigning, where possible, a numerical value to each of the four standards set forth.	The Commission's finding is supported by the entire record of a process that far exceeded the statutory requirements for scientific information, transparency and public participation. See also Master Response 2.
Steven Strauss Written comments 10/11/11	263	IV. The Commission failed to consider cost vs benefits of the alternatives.	See Master Response 3.
Steven Strauss Written comments 10/11/11	264	V. The relationship between the BRTF, SAT, Packard Foundation, and Commissioner Rogers demonstrates that	The SAT scientific guidelines were peer-reviewed, and the BRTF only

Commenter	Comment Number	Comment	Response
		the work product of the BRTF and SAT should be considered biased. Therefore the Commission should be prohibited from using BRTF and SAT findings to support the Commission's ranking of the alternatives.	advises. The Commission retains full independent authority to accept, modify, or reject any MPA proposals. In May 2009, the Central Coast Fisheries Conservation Coalition filed a formal complaint with the Fair Political Practices Commission alleging a conflict of interest by Commissioner Sutton. In an June 2009 Advice Letter (A-09-122), the FPPC concluded that no conflict existed.
John Riordan Written Comments 10/18/11 George Osborn Oral Comments 10/19/11	265	Commission failed to adequately explain the reasons to restore the San Dieguito Lagoon MPA and reclassify it as an SMCA.	The retention of this MPA is essentially adoption of the "no change alternative" and does not require justification or analysis. Reclassifying this MPA as an SMCA is consistent with the MMAIA.
John Riordan Written Comments 10/18/11 George Osborn Oral Comments 10/19/11	266	The impact on the supposed MPA network of adding an MPA (San Dieguito Lagoon SMCA) that was previously assumed to be eliminated has not been considered.	See response to comment 265.
John Riordan Written Comments 10/18/11 George Osborn Oral Comments 10/19/11	267	The Commission had disregarded the potential environmental impacts of retaining the San Dieguito Lagoon SMP/SMCA, has not even attempted to determine if they are significant, or whether revisions to the EIR are required.	This comment is outside the scope of the 15-day notice. Further, the comment properly goes to the CEQA document, not the proposed rulemaking.
John Riordan Written Comments 10/18/11 George Osborn	268	The Commission's justification for choosing the IPA over the other alternatives in inadequate.	Comment noted.

Commenter	Comment Number	Comment	Response
Oral Comments 10/19/11			
Form Letter 27 Written Comments 10/14-18/11			
John Riordan Written Comments 10/18/11 George Osborn Oral Comments 10/19/11	269	The SSoR contains no additional response to public comments as required by OAL	OAL directed the Commission to include updated responses to public comments in an addendum to the FSOR.
Michael Ploessel Written comments 10/18/11	270	The proposed IPA will cause great harm to recreational and commercial fishing, our state economy and to southern California air quality.	The Amended Initial Statement of Reasons contemplates that the regulation may have some negative impacts on commercial and recreational fishing operations and businesses in California, and provides estimates of the maximum potential impact (in real 2007 dollars or in fishing areas) to commercial and recreational fisheries. The economic impacts of MPAs have previously been predicted. For example, in 2003, economic impacts were predicted for the Northern Channel Island MPAs. Impacts to seven important commercial fisheries were evaluated in the Northern Channel Islands MPA 5 year review report. Five years after MPAs were established, the value of four fisheries in the Channel Islands increased, while the value of three decreased. Individual participants may have exited or entered the fishery but the industry, on a whole, did not

Commenter	Comment Number	Comment	Response
			experience great harm.
			Similarly, the Amended Initial Statement of Reasons concluded that the regulation will not have a significant statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states; and recognized that, in the long term, the potential negative impacts may be balanced by potential positive impacts of sustainable fisheries, nonconsumptive benefits, and ecosystem function in the reserve areas. Any discussion of economic impact must also recognize that the general economic downturn may be a very significant confounding variable.
Michael Ploessel Written comments 10/18/11	271	Laguna Beach MPAs blocks access to the mobility impaired fishermen for many miles of beaches and protected small coves. Support Alternative 2's boundaries for Laguna Beach MPAs	See also Master Response 3. This comment is outside the scope of the 15-day notice.
Michael Ploessel Written comments 10/18/11	272	The Laguna Beach SMCA includes a major sewer outfall and is subject to repeated sewage spills. This area is not appropriate as a SMR or no-take SMCA	This comment is outside the scope of the 15-day notice.
Michael Ploessel Written comments 10/18/11	273	The explanation for choosing the IPA over the other alternatives is meaningless.	Comment noted.
Michael Ploessel Written comments 10/18/11	274	Alternative 2 provides an adequate level of protection while causing significantly less harm compared to the IPA or the other alternatives.	Comment noted. Also see response to comment 45 in Table 4.

Commenter	Comment Number	Comment	Response
David Holway	275	Supported addition of regulatory text concerning anchoring	This comment is outside the
Written comments 10/18/11		and fishing in the San Diego Scripps SMCA	scope of the 15-day notice.
David Holway Written comments 10/18/11	276	Oppose the addition of general provision to clarify that public safety activities and structures are allowed in all MPA designations. Beach resources are significantly impacted by such activities. Life Guard towers installations should be carried out pursuant to CEQA	See response to comments 86 and 228 in Table 4.
David Holway Written comments 10/18/11	277	Supported change to the boundary of the San Diego Scripps SMCA	This comment is outside the scope of the 15-day notice.
David Holway Written comments 10/18/11	278	Opposed to proposed language of subsection 632(b)(117). Commenter states that the current system of permitting scientific research, teaching and outreach activities with a permit from the University of California's Natural Reserves System best protects the resources and their use for the public good.	This comment is outside the scope of the 15-day notice.
David Holway Written comments 10/18/11	279	In 1929, the legislature specifically granted the Regents "sole use and permission" to take invertebrates and marine plants in conjunction with the establishment of the Scripps Institution of Oceanography.	Reclassification of existing MPAs is contemplated by Fish and Game Code Section 1591. Also, see response to comment 35 in Table 4. This comment is outside the scope of the 15-day notice.
David Holway Written comments 10/18/11	280	Proposes an MOU be developed with DFG that would allow the University to continue in its current role as manager of this MPA and the issuance of a scientific collecting permit to the Scripps Coastal Reserve Manager specifically.	This comment is outside the scope of the 15-day notice and outside the scope of the rulemaking. Note that MOU agreements are outside of this rulemaking process, although they may be considered and pursued under the guidance of the draft master plan. Also, see response to comment 35 in Table 4.
Chris Okamoto Written Comments 10/18/11	281	Questioned larval settlement models	This comment is outside the scope of the 15-day notice
Chris Okamoto Written Comments 10/18/11	282	No clear reason given to why Alternative 2 was overlooked	See response to comment 45 in Table 4.

Commenter	Comment Number	Comment	Response
Chris Okamoto	283	MPAs should be placed in areas which are harder to	This comment is outside the
Written Comments 10/18/11		access.	scope of the 15-day notice.
Chris Okamoto Written Comments 10/18/11	284	Long Point SMR and Bird Rock SMCA are placed in areas of CPFV utilization. Why were these areas chosen?	This comment is outside the scope of the 15-day notice.
Chris Okamoto Written Comments 10/18/11	285	What type of fish counting methods were used to collect statistics guiding these closures?	This comment is outside the scope of the 15-day notice.
Chris Okamoto Written Comments 10/18/11	286	Closures will hurt fishing related family businesses.	See Master Response 5.
Joe Exline Written Comments 10/15/11	287	Amend regulatory language regarding San Dieguito Lagoon SMCA to clarify that the area is bounded by the "San Dieguito State Ecological Reserve".	There is no state ecological reserve by that name. The regulations for this SMCA accurately state that this area consists of waters below the mean high tide line within the San Dieguito Lagoon Ecological Reserve.
Joe Exline Written Comments 10/15/11	288	The Commission's findings regarding the rejection of Alternative 2 is not supported by data from Marine Map	Marine Map was designed as a marine spatial planning tool to assist in the design and placement of MPAs. Habitat analysis and calculations provided in ISOR attachments 4 and 7 and in the EIR support the Commission's findings. See response to comment 45 in Table 4.
Joe Exline Written Comments 10/15/11	289	The Commission does not indicate how much more impact the IPA has specifically for recreational fishermen. Recreational impacts in the San Diego area are more than double in the IPA as opposed to Alternative 2.	See Master Response 3.
Joe Exline Written Comments 10/15/11	290	Based on Marine Map, Alternative 2 meets the requirements of habitats, size and spacing guidelines better than the IPA	See response to comment 45 in Table 4.
Joe Exline Written Comments 10/15/11	291	Alternative 2 best meets the science guidelines and has the least social economic impacts	See response to comment 45 in Table 4.

Commenter	Comment Number	Comment	Response
Joe Exline Written Comments 10/15/11	292	Confused regarding shading used to in the 15-day notice	The APA required that the Commission differentiate between those items contained in the November 2010 notice that were being sent out again, and those items that came about after the November 2010 notice.
Joe Exline Written Comments 10/15/11	293	Pursuant to 2859 of the Fish and Game Code, Legislative oversight is required prior to adopting the Marine Life Protection Program	See response to comment 230 in Table 4.
Joe Exline Written Comments 10/15/11	294	The Marine Life Protection Program was not sent to the Joint Committee on Fisheries and Agriculture for review and thus cannot be implemented.	See response to comment 230 in Table 4.
Form Letter 27 Written Comments 10/14-18/11	295	The proposed regulations are unnecessary. A fisheries crisis does not exist.	See Master Response 4.
Form Letter 27 Written Comments 10/14-18/11	296	The regulations should be no more restrictive than is necessary to meet the MLPA's objectives for marine protection.	See response to comment 2 in Table 4.
Form Letter 27 Written Comments 10/14-18/11	297	Alternative 2 is the least harmful to recreational and commercial fishing, to the economy and to Southern California's already poor air quality.	Comment noted. Also, See response to comment 45 in Table 4.
Form Letter 27 Written Comments 10/14-18/11	298	The Commission has failed to take into account the economic, social and environmental impacts that closures in the IPA will have and has failed to minimize these impacts.	See Master Response 3. Also, environmental impacts are discussed in the EIR.
Paul Weakland Oral Comments 10/19/11	299	Commented on the (perceived) difference between an EIR and an ED in regard to responding to public comments.	Responses to public comments on the Draft EIR are contained in the Final EIR.
Paul Weakland Oral Comments 10/19/11	300	MPAs are a mistake. Manage resources in a fair manner instead of closing areas.	See Master Response 4.
Paul Weakland Oral Comments 10/19/11	301	BRTF was supposed to fix the mistakes	This comment is outside the scope of the 15-day notice.
Michael Sheehy Oral Comments 10/19/11	302	Looking forward to 1/1/12 implementation date. 40 volunteers are ready to help	Comment noted.

Commenter	Comment Number	Comment	Response
Sarah Sikich Oral Comments 10/19/11	303	Technically sound re-notice. Looking forward to 1/1/12 implementation. Working on education/outreach efforts and materials.	Comment noted.
Karen Garrison Oral Comments 10/19/11	304	We find the parts that are subject to public review to be complete.	Comment noted.
Calla Allison Oral Comments 10/19/11	305	Looking forward to 1/1/12 implementation date. Already held first marine enforcement training for 40 officers/12 agencies in Orange County.	Comment noted.
Bob Bertelli Written Comments 10/18/11	306	Neither the stakeholders, scientists, BRTF, DFG or the Commission, have been given a complete economic picture of the possible and probable effects of MPA's. The Ecotrust study stopped at the dock for commercial fishing (ex-vessel prices) and was close to non existent for sport fishing, even though the DFG has a report done for the Department," The Economic Structure of California's Commercial Fisheries" Dr. Steven Hackett, and M. Doreen Hansen, Department of Economics, Humboldt State University,(2009), which contains the standard economic multipliers for ex-vessel prices for our commercial fisheries. Also, there is the paper done by Southwick Associates, Inc., prepared for the American Sportfishing Association, "The Potential Economic and Conservation Impacts of Proposed Marine Recreational Fishing Closures in Southern California" (2009). Why was this valuable economic information not calculated into the final economic product?	See Master Response 3
Bob Bertelli Written Comments 10/18/11	307	Even more glairing than the lack of a complete economic picture for the effects of SCMPA's, is the total non existence of any social science	See Master Response 3
Bob Bertelli Written Comments 10/18/11	308	Without the relative social science and a more complete economic picture, it is impossible to do a proper CEQA (EIR) analysis	Comments on CEQA are outside the scope of the 15-day notice. Also, see Master Response 3
Bob Bertelli Written Comments 10/18/11	309	Alt. 2 does the least amount of economic harm, while meeting the goals and objectives of the Act.	Comment noted. Also, See Master Response 3, response to

Commenter	Comment Number	Comment	Response
		It can be assumed that the Alt. that does the least amount of economic harm, will also do the least social harm.	comment 45 in Table 4.
Bob Bertelli Written Comments 10/18/11	310	The only justification for the BRTF to construct their own Alt. would have been to further reduce the socio-economic impacts, while still meeting the goals and objectives.	This comment is outside the scope of the 15 day notice
Bob Bertelli Written Comments 10/18/11	311	The IPA does more harm, not less, and a proper CEQA document would have pointed this out, and should have recommended Alt. 2 as mitigation.	Comments on CEQA are outside the scope of the 15-day notice. Also, see response to comment 45 in table 4.
Bob Bertelli Written Comments 10/18/11	312	The OAL has raised a significant question [reasons for rejection of the other alternatives] that must be satisfactorily addressed, before the rule changes become final.	Comment noted. The reasons for rejection of the other alternatives is provided in the SSoR

III. Supplement to Section X(a) of the July 21, 2011, Final Statement of Reasons: Alternatives to Regulation Change:

A range of alternatives to the proposed regulation was provided by the South Coast Regional Stakeholder Group (SCRSG) and Blue Ribbon Task Force (BRTF) to meet the purposes of the proposed regulation but were not selected as the preferred alternative. Each alternative, with the exception of the no-change alternative, meets the goals and guidelines of the MLPA to varying degrees, and attempts to adhere to the MLPA Science Advisory Team (SAT) guidelines in the draft Master Plan for MPAs to the extent possible.

Detailed maps and information regarding specific proposed MPA boundaries and regulations in the alternatives to the proposed regulation are contained within Attachments 6-8 of the Amended ISOR and each alternative is summarized below for informational purposes.

Alternative 1 – This is the SCRSG "Proposal 1R", developed within SCRSG workgroups by constituents representing a variety of consumptive, nonconsumptive, and environmental interests. It consists of 37 proposed MPAs, 13 existing MPAs and two special closures at the Channel Islands, and two federal Safety Zones, covering an area of 397.5 square miles, representing 16.9 percent of state waters within the south coast region (Attachment 6 of the Amended ISOR). Of this, 77.5 percent of the area is within no-take state marine reserves or "very high protection" SMCAs that do not allow fishing, covering 307.8 square miles or 13.1 percent of state waters within the south coast region. Details regarding specific proposed MPA boundaries and regulations are contained in Attachment 6 of the Amended ISOR.

As compared to the Integrated Preferred Alternative (IPA), Alternative 1 would result in the protection of slightly more marine habitat and marine biological resources in MPAs, but would have greater adverse economic impacts to sport and commercial fishing related businesses and greater adverse impacts on air quality. The Commission rejected Alternative 1 because the IPA does the best job of balancing the scientific guidelines and MLPA goals, bridging areas of divergence among the SCRSG proposals, resolving feasibility issues, and minimizing socioeconomic impacts to the extent possible.

Alternative 2 – This is the "SCRSG Proposal 2R", developed within SCRSG workgroups by constituents representing primarily commercial and recreational fishing interests along the south coast. It consists of 24 proposed MPAs, 13 existing MPAs and two special closures at the Channel Islands, and two federal Safety Zones covering an area of 378.3 square miles, representing 16.1 percent of state waters within the south coast region (Attachment 7 of the Amended ISOR). Of this, 74.8 percent of the area is within no-take state marine reserves or "very high protection" SMCAs that do not allow fishing, covering 282.8 square

miles or approximately 12 percent of state waters within the south coast region. Details regarding specific proposed MPA boundaries and regulations are contained in Attachment 7 of the Amended ISOR.

As compared to the IPA, Alternative 2 would have smaller adverse economic impacts to sport and commercial fishing related businesses and slightly less adverse impacts on air quality, but would result in the protection of less marine habitat and marine biological resources in MPAs. The Commission rejected Alternative 2 because the IPA does the best job of balancing the scientific guidelines and MLPA goals, bridging areas of divergence among the SCRSG proposals, resolving feasibility issues, and minimizing socioeconomic impacts to the extent possible.

Alternative 3 – This is the "SCRSG Proposal 3R", developed within SCRSG workgroups by constituents primarily representing non-consumptive and environmental interests along the south coast. It consists of 27 proposed MPAs, 13 existing MPAs and two special closures at the Channel Islands, and three federal Safety Zones covering an area of 412.7 square miles, representing 17.6 percent of state waters within the south coast region (Attachment 8 of the Amended ISOR). Of this, 71 percent of the area is within no-take state marine reserves or "very high protection" SMCAs and a State Marine Recreational Management Area (SMRMA) that do not allow fishing, covering 293 square miles or 12.4 percent of state waters within the south coast region. Details regarding specific proposed MPA boundaries and regulations are contained in Attachment 8 of the Amended ISOR.

As compared to the IPA, Alternative 3 would result in the protection of approximately the same marine habitat and marine biological resources in MPAs, but would have greater adverse economic impacts to sport and commercial fishing related businesses and greater adverse impacts on air quality. The Commission rejected Alternative 3 because the IPA does the best job of balancing the scientific guidelines and MLPA goals, bridging areas of divergence among the SCRSG proposals, resolving feasibility issues, and minimizing socioeconomic impacts to the extent possible.

UPDATED Informative Digest / Policy Statement Overview

At its October 19, 2011 meeting, the Commission adopted the proposed changes to the regulation regarding San Dieguito Lagoon SMCA, Bird Rock (Catalina Island) SMCA, Long Point (Catalina Island) SMR, and other changes for clarity and consistency, outlined in the October 3, 2011 notice; and confirmed its December 15, 2010 decision for all other changes for Section 632, Title 14, CCR. No other changes were made to the originally proposed regulatory language.